

## HOUSE OF REPRESENTATIVES—Tuesday, June 10, 1986

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, O Lord, that a strong faith will gain us a heart of wisdom. As we are proud of our heritage and firm in our beliefs, so may we also understand the heritage and beliefs of others. May we not be provoked to anger but in all things may we be motivated by love and compassion and peace. Grant this petition, we pray. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4515. An act making urgent supplemental appropriations for the fiscal year ending September 30, 1986, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4515) "An act making urgent supplemental appropriations for the fiscal year ending September 30, 1986, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HATFIELD, Mr. STEVENS, Mr. WEICKER, Mr. MCCLURE, Mr. GARN, Mr. COCHRAN, Mr. ANDREWS, Mr. ABDNOR, Mr. KASTEN, Mr. D'AMATO, Mr. RUDMAN, Mr. GOLDWATER (for chapter III A only), Mr. STENNIS, Mr. BYRD, Mr. PROXMIRE, Mr. INOUE, Mr. HOLLINGS, Mr. CHILES, Mr. JOHNSTON, Mr. BURDICK, Mr. LEAHY, Mr. DECONCINI, and Mr. NUNN (for chapter III A only), to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2294. An act to reauthorize certain programs under the Education of the Handicapped Act, to authorize an early intervention program for handicapped infants, and for other purposes.

## VIOLENCE AGAINST ABORTION CLINICS LEADS TO CLASS-ACTION SUIT

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, last night there was another tragic bombing of a women's health center in Wichita, KS. This is the 38th bombing of such a center since 1982.

Because of the health care center violence, doctors and health care providers are being prevented from fulfilling their duties as doctors and from presenting to their patients all of the medical options available to them. Clinics are having to close down because they can't get insured, they can't afford the extra security, and because the threats to providers' lives have jeopardized their family's safety.

During these past 4 years, we have tried through letters and meetings to get Attorney General Ed Meese to use Federal laws already on the book that protect women's right to their health care.

Because of Attorney General Meese's failure to respond to this crisis, women now have to turn to the courts for help. Yesterday the National Organization for Women [NOW], with the Delaware Women's Health Organization and the Pensacola Ladies Center filed a class action suit on behalf of all women and all women's health care facilities performing abortions against leading antiabortion extremists.

In 1985, 224 clinics reported incidents of violence, vandalism, and harassment, while the FBI reported only 7 terrorist incidents in the United States.

Do we have to legally categorize clinic violence as terrorism before we can get the Reagan administration to do something about it? I can only wonder if Attorney General Meese would be dragging his feet if it were churches instead of women's health centers that were being bombed.

## THE VANISHING RIGHT TO LIVE

(Mr. HYDE asked and was given permission to address the House for 1 minute.)

Mr. HYDE. Mr. Speaker, the Supreme Court has just determined that the Federal Government has no right to interfere in a decision of parents and doctors to withhold ordinary medical treatment from a handicapped newborn baby—thereby imposing a

death sentence on this tiny defenseless member of the human family.

Thus the Court has thrust the 14th amendment into its paper shredder—equal protection and due process of law are now only available to infants who are privileged, planned, or perfect.

And when you next read the Declaration of Independence, skip over the part that says "all men are endowed by their Creator with certain inalienable rights"—the Supreme Court and the American Medical Association have deleted that, by a 5-to-3 vote.

As we crusade for human rights in Africa and Central America, I wonder if we have the moral energy to care about the denial of human rights to little citizens in our hospital nurseries?

## MORE FARSIGHTED PLAN NEEDED IN INTERNATIONAL DEBT CRISIS

(Mr. OBEY asked and was given permission to address the House for 1 minute.)

Mr. OBEY. Mr. Speaker, the stability of the U.S. economy and its banking system are being jeopardized because the Reagan administration is not on top of the international debt crisis. Peru, Nigeria, and Bolivia are already in violation of debt-repayment agreements. If the administration does not fashion more realistic policies, nations holding a much larger share of Third World debt will follow.

The administration has an obligation to make sure that the list does not grow. The Baker plan promises only another round of loans to help finance another round of interest payments to commercial banks. It is better than nothing, but it will keep the debt crisis festering as it has for nearly 4 years. It still threatens the long-term soundness of U.S. banks, drives up unemployment in the United States, damages American farmers and manufacturing, and keeps our trade deficit needlessly high.

The time has come for the administration to really change course. We need a more farsighted plan that gives debtor nations a chance to purchase U.S. products and does not require them to accept new loans to add to their interest burden.

## THE BIGEYE CHEMICAL BOMB SHOULD BE SCRAPPED

(Mr. PORTER asked and was given permission to address the House for 1

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, today, the GAO released its most complete report ever on the Bigeye nerve gas bomb.

After 25 years of DOD development work, GAO says that the Bigeye does not work and should be scrapped.

After the bomb unexpectedly exploded in 1982, many changes were made to the bomb and its delivery tactics. After a year of analysis the GAO stated "what changes in bomb design and operational tactics have done is to shift the burden of responsibility to the pilot by adding constraints, reducing his safety, increasing the speed of calculations he needs to make and giving him little assurance that the bomb, once delivered, will be effective."

They state "there are major inconsistencies, test criteria are ambiguous, shifting and uncertain," and yet, Mr. Speaker, the Pentagon wants us to spend over \$1 billion on this bomb alone.

Mr. Speaker, the GAO says it doesn't work, the Europeans say they do not want it, and I hope the Congress says we won't buy it.

#### THE ROGERS COMMISSION REPORT: A BEGINNING, NOT THE END

(Mr. MARKEY asked and was given permission to address the House for 1 minute.)

Mr. MARKEY. Mr. Speaker, the Rogers Commission report is now in the public's hands, and it is an impressive piece of work. It answers the many specific questions it was charged to answer about the causes of the Challenger tragedy.

But nobody asked the Rogers Commission to answer the even bigger question: What is the future of NASA? Is it to continue the vision of President Kennedy as a pioneer for civilian, scientific exploration of the last frontier, or is it to be yet another pawn in the administration's strategic chessboard dominated by the Strategic Defense Initiative?

Two decades ago, NASA and the Nation had synchronized their watches around the Apollo mission. Once that mission had been successfully completed, NASA was cast adrift to fend for itself in a sea of strident voices, the loudest voice of all being the administration's push to militarize space. Unchecked, we can be sure that all of the Rogers Commission's sober recommendations about safety controls and management reorganization will go for naught, swallowed up in the gorge of the military's quest to establish space as a military outpost.

NASA has made extraordinary contributions over the years to the Nation's science and to its psyche. Let us

use the Rogers Commission's effort as the foundation for revitalizing the peaceful space program which once fired the imagination of an entire Nation.

The SPEAKER. The Chair thought that the gentleman from Massachusetts was going to have something to say about the Celtics.

Mr. MARKEY. I do have a comment to make on that subject, Mr. Speaker.

The SPEAKER. The time of the gentleman from Massachusetts [Mr. MARKEY] has expired.

The Chair recognizes the gentleman from California [Mr. DANNEMEYER].

#### BOSTON CELTICS' NBA VICTORY ASSURES WHEELBARROW RIDE FOR MASSACHUSETTS MEMBERS

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute.)

Mr. DANNEMEYER. Mr. Speaker, I yield to my friend, the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, the gentleman from Massachusetts, Mr. SILVIO CONTE, and I have a bet with the gentleman from Texas [Mr. FIELDS] and the gentleman from Texas [Mr. LELAND] on the outcome of the series. The winners were to be wheeled around the Capitol in a wheelbarrow by the losers. The gentlemen from Massachusetts are looking forward to their ride in the wheelbarrow from Mr. FIELDS and Mr. LELAND.

The SPEAKER. The House should recess for that.

#### THE MIDAS TOUCH

(Without objection, Mr. DANNEMEYER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, according to Greek mythology Midas, the king of Phrygia, was favored by the gods in granting him a wish. Rashly, king Midas wished that everything he touched should turn to solid gold. His golden touch made him the richest man on Earth, but he was starving to death for even his food turned to gold. And when his little daughter ran to him and hugged him, she too turned into a golden statue.

King Fahd of Saudi Arabia appears to be a latter-day king with the Midas touch: Everything he touches turns to black gold. Yet the king finds no solace in his new riches, as the price of crude oil is plunging to worthlessness. It looked like a cruel joke when Vice President BUSH visited the poor king asking him to rid himself of the Midas touch.

If Mr. BUSH really wanted to prevent the price of oil from going through the floor, he could do something constructive right here at home. He could

advocate a stable dollar. That would go a long way toward helping not only Texas oilmen, but also Kansas farmers and California workmen. The stable dollar would stop the free fall of the price of wheat and tin as well. It would bail out American bankers, no less than American oilmen, not to mention foreign kings with the Midas touch.

□ 1210

#### FARMING THE TAX CODE

(Mr. PETRI asked and was given permission to address the House for 1 minute.)

Mr. PETRI. Mr. Speaker, Why do you suppose large numbers of doctors, lawyers, bank presidents, and others among the wealthiest people in our society have chosen to invest in farming? Are they interested in the honest hard physical labor which comes with producing America's agricultural bounty? Hardly.

Wealthy investors in corporate farms are more interested in farming the Tax Code than in farming the land.

They want to invest in farming in order to use paper losses from farming to lower their income tax bills while still building equity in the corporate farm operations in which they have invested.

It's all perfectly legal. Corporate farm tax shelters are embedded in our current Tax Code.

But the new tax reform bill currently working its way through Congress will change all that. Tax simplification promises to eliminate the tax shelters which are crowding out America's family farmers.

Tax simplification will be good for those farmers who stay in farming in order to earn a living, and because they are committed to the farming way of life.

Let's move forward with tax reform.

#### IMPEACH DISTRICT JUDGE CLAIBORNE

(Mr. SENSENBRENNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SENSENBRENNER. Mr. Speaker, over the weekend the U.S. Court of Appeals for the Ninth Circuit sitting en banc refused to stay the prison sentence of Federal Judge Harry E. Claiborne of Nevada. Judge Claiborne thus remains in prison drawing his full salary of \$78,000 a year.

Mr. Speaker, the meter is ticking. Judge Claiborne is being paid by the taxpayers while being incarcerated. That is a nice deal and he should not be able to get it.

This House ought to impeach Judge Claiborne and send the matter to the Senate for trial, because everyday



Judge Claiborne sits in jail the taxpayers are fleeced another \$215.

Let us get on with the impeachment of Judge Claiborne. The facts are not in dispute. He has asked for impeachment and trial and we ought to grant that request so we can get this felon off the bench.

#### LET US NOT SCUTTLE THE SHUTTLE

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, we can study the shuttle, we can improve the shuttle, we can embellish the shuttle, we can do all kinds of things, but we cannot scuttle the shuttle.

Space exploration is as much a part of the manifest destiny of the United States as was crossing the Mississippi westward when this country was becoming what it is today.

So let us take the Rogers Commission report and treat it as the latest volume in our manifest destiny. We should analyze it. We should worry about it. We should debate it. We should improve the space program and the capacity of NASA to execute the space program, but let us not scuttle the shuttle.

#### CONGRESS SHOULD ESTABLISH A WORKABLE MARKETING SYSTEM FOR SATELLITE TRANSMITTED TELEVISION

(Mr. CLINGER asked and was given permission to address the House for 1 minute.)

Mr. CLINGER. Mr. Speaker, anyone traveling through my district on a regular basis would be astounded at the steady increase in the number of backyard satellite dishes. On a long stretch of road where only 1 year ago there were one or two dishes, I now see a dish for almost every mile of roadway.

I have come to the conclusion that the dish owners of this country are a thriving constituency in and of themselves. This newly developed constituency has asked for our help. The sad part of this is that they feel that Congress is ignoring their problems, that we really don't care about them.

More than 6 months have gone by since some of the larger television broadcasters began scrambling the satellite signals that carry their programs. In rural areas where ordinary television broadcasts and cable are unavailable, scrambling satellite signals is a disturbing practice.

Much to their credit, the leadership of the Telecommunications Subcommittee (Mr. WIRTH and Mr. RINALDO) has explored this problem in a subcommittee hearing and will hold another next week.

However, there is a widespread feeling that Congress is just giving lip service to the dish owners, that we're really not going to do anything at all to help establish a workable marketing system for satellite transmitted television programming.

In conclusion, Mr. Speaker, I recommend that we address this problem expeditiously.

#### COMMUNICATION FROM THE HONORABLE BILL BONER, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. GRAY of Illinois) laid before the House the following communication from the Honorable BILL BONER, a Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, June 5, 1986.

HON. THOMAS P. O'NEILL,  
Speaker of the House of Representatives,  
Speaker's Rooms, The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to inform you, pursuant to Rule L(50) of the Rules of the House, that the following present and former employees on my staff have been served with subpoenas issued by the United States District Court for the Middle District of Tennessee: Doug Johnston, Richard Crawford, Jeffrey Eller and David Flanders. I will, in consultation with the General Counsel to the Clerk, make the determinations required by the House Rule and will promptly notify you of those determinations.

Sincerely,

BILL BONER,  
Member of Congress.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on both motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Wednesday, June 11, 1986.

#### DISTRIBUTION OF JUDGMENT FUNDS FOR SAGINAW CHIPPEWA TRIBE, MICHIGAN

Mr. UDALL. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1106) to provide for the use and distribution of funds appropriated in satisfaction of judgments awarded to the Saginaw Chippewa Tribe of Michigan in dockets numbered 57, 59, and 13E of the Indian Claims Commission and docket numbered 13F of the U.S. Claims Court, and for other purposes, as amended.

The Clerk read as follows:

S. 1106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SHORT TITLE; DEFINITIONS

SECTION 1. (a) This Act may be cited as the "Saginaw Chippewa Indian Tribe of Michigan Distribution of Judgment Funds Act".

(b) For purposes of this Act—

- (1) The term "tribe" means the Saginaw Chippewa Indian Tribe of Michigan.
- (2) The term "Tribal Council" means the Saginaw Chippewa Tribal Council.
- (3) The term "Secretary" means the Secretary of the Interior.

#### ABROGATION OF PRIOR PLAN

SEC. 2. Notwithstanding Public Law 93-134 (25 U.S.C. 1401 et seq.) or any plan prepared or regulation promulgated by the Secretary pursuant to such law—

(1) the funds appropriated in satisfaction of judgments awarded the tribe in dockets numbered 59 and 13E of the Indian Claims Commission, and

(2) the balance of any undistributed funds appropriated in satisfaction of the judgments awarded the tribe in docket numbered 57 of the Indian Claims Commission and docket numbered 13F of the United States Claims Court,

and any interest or investment income accrued on the amount of such funds on or before the date of any transfer made pursuant to section 5 or 8 (less any attorneys' fees and court costs), shall be distributed and used in accordance with the provisions of this Act.

#### INVESTMENT FUND

SEC. 3. (a)(1) The tribe, through the Tribal Council, shall establish a trust fund for the benefit of the tribe which shall be known as the "Investment Fund". The principal of the Investment Fund shall consist of—

(A) the funds transferred by the Secretary to the Tribal Council pursuant to section 5(a),

(B) the amounts required to be included in principal under subsection (c) or section 8(c),

(C) such portion of the funds paid to the Tribal Council under section 8(a) as the Tribal Council may elect to add to the principal, and

(D) such other amounts of the income of the Investment Fund which the Tribal Council may elect to retain and add to the principal.

(2) The Tribal Council shall be the trustee of the Investment Fund and shall administer the Investment Fund in accordance with the provisions of this Act.

(b)(1) The principal of the Investment Fund shall be used exclusively for investments or expenditures which the Tribal Council determines—

(A) are reasonably related to—

- (i) economic development beneficial to the tribe, (or)
- (ii) the development of tribal resources, or
- (B) are otherwise financially beneficial to the tribe.

(2) Under no circumstances shall any part of the principal of the Investment Fund be distributed in the form of per capita payments to the members of the tribe or used or expended for purposes other than investment or economic development projects and programs.

(3) None of the income of the Investment Fund may be distributed or expended before the date that is 18 months after the date on which the amendments to the constitution of the tribe referred to in section 4(a) are adopted and ratified by the qualified voting

members of the tribe (within the meaning of such constitution).

(c) at least 10 percent of the income earned on the Investment Fund during each of the first ten fiscal years of the Investment Fund beginning after such Investment Fund is established shall be retained in the Investment Fund and become part of the principal of the Investment Fund.

(d)(1) The Investment Fund shall be maintained as a separate book account.

(2) The books and records of the Investment Fund shall be audited at least once during each fiscal year of the Investment Fund (or before the end of the 3-month period beginning on the last day of such fiscal year) by an independent certified public accounting firm which shall prepare a report on the results of such audit. Such report shall be treated as a public document of the tribe and a copy of the report shall be available for inspection by an enrolled member of the tribe.

(e)(1) From the funds described in section 2 and transferred to the Tribal Council pursuant to section 5 (a), the sum of \$1,000,000 shall be set aside within 90 days of receipt of such funds by the Tribal Council for the express purposes of establishing a separate Elderly Assistance Investment Fund.

(2) Income generated by the Elderly Assistance Investment Fund shall be distributed on a per capita basis to each enrolled Tribal member who is 50 years of age or older on the date that is 18 months after the date on which the amendments to the constitution of the tribe referred to in section 4.(a) are adopted and ratified by the qualified voting members of the tribe.

(3) Tribal members entitled to participate in the distribution of such income shall submit verifiable documentation as to their age to the Tribal Council no later than the date that is 3 months after the date established pursuant to paragraph (2) of this subsection. The Tribal Council shall prepare and certify a list of all Tribal members entitled to participate in the distribution of income from the Elderly Assistance Investment Fund within 30 days following the above date.

(4) Distribution of the income from the Elderly Assistance Investment Fund shall be made pursuant to the following terms and conditions:

(A) No Tribal member certified to participate shall receive more than the aggregate sum of \$3,000 from the income generated by the Elderly Assistance Investment Fund.

(B) Payments shall be made to each Tribal member certified to participate on an equal pro-rata basis from the available income generated by the Elderly Assistance Investment Fund.

(C) The initial per capita distribution shall be made no sooner than the date that is 30 days after the date that the Tribal Council certifies the list of eligible Tribal members pursuant to paragraph (3) nor no later than 120 days following such date.

(E) If succeeding per capita distributions are necessary to bring the aggregate payment to each Tribal member certified to participate to the sum of \$3,000, such distribution shall be made on or before the anniversary date of the initial per capital distribution.

(F) If any Tribal member certified to participate should die before receiving the initial or any succeeding per capita distribution, the payment which would have been paid to that individual shall be returned to the Elderly Assistance Investment Fund for distribution in accordance with this subsection.

(5) When all Tribal members certified to participate in the per capita distribution have been paid the aggregate sum of \$3,000, the principal sum of \$1,000,000 together with any remaining interest of the Elderly Assistance Investment Fund shall revert back and become part of the Investment Fund established pursuant to subsection (a)(1). Provided, that, nothing in this subsection shall be construed to prevent the Tribal Council from establishing an Elderly Assistance Investment Fund or Program providing for per capita distributions or other programs for elderly Tribal members from the income of the Investment Fund and subject to such terms, conditions and eligibility criteria as the Tribal Council may provide.

(6)(A) The Elderly Assistance Investment Fund shall be governed and subject to the same conditions as provided for in subsections (b) and (d) but not the provisions of subsection (c) of this section.

(B) Any Elderly Assistance Investment Fund or Program which may be subsequently established by the Tribal Council shall be subject to the terms of this Act except that subsection (e) of this section shall not be applicable to such Fund or Program.

#### TRIBAL CONSTITUTION

SEC. 4. (a) Notwithstanding any other provision of law, the Tribal Council may call a tribal election and, pursuant to such election, the tribe may adopt (without the approval of the Secretary) any amendments to the constitution of the tribe which were approved by the Tribal Council on April 15, 1985, in resolution L and O-03-85.

(b) Any amendments to the constitution of the tribe other than the amendments referred to in subsection (a) may only be adopted in accordance with the provisions of such constitution and applicable Federal law and may not be adopted before the date that is 18 months after the date on which the amendments referred to in subsection (a) are adopted and ratified by the qualified voting members of the tribe.

(c) The adoption of any amendment referred to in subsection (a) to the constitution of the tribe shall take effect when such amendment is ratified by the qualified voting members of the tribe (within the meaning of such constitution).

(d) The tribe shall submit to the Secretary a copy of any amendment to the constitution of the tribe referred to in subsection (a) within 10 days after the date on which such amendment is ratified by the qualified voting members of the tribe (within the meaning of such constitution).

#### TRANSFER OF FUNDS BY THE SECRETARY

SEC. 5. (a) The Secretary shall transfer the funds described in section 2 (which have not previously been transferred to the Tribal Council under section 8(a) to the Tribal Council by no later than the date that is 60 days after the date on which the Secretary receives written notice of the adoption by the Tribal Council (in accordance with the constitution and bylaws of the tribe) of a resolution requesting the Secretary to make the transfer under this subsection if the amendments to the constitution of the tribe referred to in section 4.(a) are adopted and ratified by the qualified voting members of the tribe (within the meaning of such constitution).

(b)(1) Notwithstanding any other provision of law, the approval of the Secretary for any payment or distribution from the principal or income of the Investment Fund, after the transfer of funds pursuant to sub-

section (a), shall not be required and the Secretary shall have no trust responsibility for the investment, supervision, administration, or expenditure of the principal or income of the Investment Fund.

(2) The Secretary may take such action as the Secretary may determine to be necessary and appropriate to enforce the requirements of this Act. After notice and hearing, the Secretary may take such action as the Secretary may determine to be necessary and appropriate to assume administration of the Investment Fund if it is determined that the Tribal Council has materially failed to administer the Investment Fund in accordance with the requirements of this Act. The Secretary shall provide whatever assistance may be necessary to the Tribal Council to correct any such deficiencies prior to any proposed Secretarial assumption of the administration of the Investment Fund and immediately thereafter, if necessary. The Secretary's assumption of the administration of the Investment Fund shall not exceed a period of 6 months.

#### TREATMENT OF AMOUNTS PAID OR DISTRIBUTED FROM THE INVESTMENT FUND

SEC. 6. (a) No amount of any payment or distribution—

(1) from the principal or income of the Investment Fund, or

(2) of any funds transferred to the Tribal Council under section 8(a)

to any payee or distributee who is an enrolled member of the tribe shall be included in the gross income of the payee or distributee for purposes of any Federal, State, or local income tax.

(b) Any payments or distributions described in subsection (a), and the availability of any amount for such payments or distributions, shall not be considered as income or resources or otherwise used as the basis for denying or reducing—

(1) any financial assistance or other benefit under the Social Security Act—

(A) to which any enrolled member of the tribe, or the household of any such member, is otherwise entitled, or

(B) for which such member or household is otherwise eligible, or

(2) any other—

(A) Federal financial assistance,

(B) Federal benefit, or

(C) benefit under any program funded in whole or in part by the Federal Government,

to which such member or household is otherwise entitled or for which such member or household is otherwise eligible.

#### WAIVERS OF SOVEREIGN IMMUNITY

SEC. 7. Notwithstanding any other provision of law, the tribe may execute limited waivers of the sovereign immunity of the tribe and consent to the civil jurisdiction of the courts of the State of Michigan with regard to the use as security for indebtedness of—

(1) any amount of income of the Investment Fund which is not retained and added to the principal of the Investment Fund pursuant to subsection (a)(1)(D) or (c) of section 3,

(2) a portion of the principal of the Investment Fund equal to the total amount, if any, of the funds transferred to the Tribal Council under section 8(a) that are added to the principal of the Investment Fund,

(3) any funds transferred to the Tribal Council under section 8(a) that are not added to the principal of the Investment



Fund and any interest or investment income accrued on such funds, or

(4) any asset acquired by use of the income described in paragraph (1), or of the funds described in paragraph (3), which is not held in trust by the Secretary for the benefit of the tribe,

if such waivers of sovereign immunity do not exceed individually or collectively the total amount or value of such security and such waivers specifically identify and limit the parties who have been granted the authority to bring an action against the tribe pursuant to such waiver.

#### OPTIONAL USE OF DOCKET 57 FUNDS

SEC. 8. (a) The Secretary shall transfer to the Tribal Council all or any portion of the undistributed funds appropriated in satisfaction of the judgment awarded the tribe in docket 57 of the Indian Claims Commission (including all interest and investment income accrued on such funds) which the tribe requests the Secretary to transfer under this subsection. Such transfer shall be made by no later than the date that is 60 days after the date on which the Secretary receives written notice of the adoption of a resolution by the Tribal Council (in accordance with the Constitution and bylaws of the tribe) requesting a transfer of funds under this subsection.

(b) Any funds transferred to the Tribal Council under subsection (a) shall be subject to the same accounting and auditing requirements applicable to the Investment Fund under section 3(d).

(c) At least 10 percent of the interest or investment income, if any, that accrues during each year of the 10-year period beginning on the date any transfer is made under subsection (a) on any funds held by, or on behalf of, the tribe which were transferred to the Tribal Council under subsection (a) shall be transferred to the Investment Fund and become part of the principal of the Investment Fund.

#### NONDISCRIMINATION

SEC. 9. (a) Any distribution or expenditure or the income of the Investment Fund, and any program or activity funded, in whole or in part, by the principal or income of the Investment Fund, shall not discriminate against—

(1) individuals who become members of the tribe after the date on which the amendments to the constitution of the tribe referred to in section 4(a) are adopted and ratified by the qualified voting members of the tribe (within the meaning of such constitution), or

(2) members of the tribe who do not reside on the reservation of the tribe.

(b) Any—

(1) expenditure for any improvement on the reservation of the tribe that can be enjoyed by all members of the tribe, or

(2) program or activity conducted only on the reservation of the tribe in which any member of the tribe can participate shall not be construed to be discriminatory for purposes of subsection (a) merely because the benefits of such improvement, program, or activity are more readily available to members of the tribe who reside on the reservation of the tribe.

The SPEAKER pro tempore. Is a second demanded?

Mr. CRAIG. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Arizona [Mr. UDALL] will be recognized for 20 minutes and the gentleman from Idaho [Mr. CRAIG] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, I yield myself such time as I may consume.

#### GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, S. 1106 is a bill to provide for the use and distribution of funds awarded to the Saginaw Chippewa Indian Tribe by the Court of Claims and the Indian Claims Commission. The award is for additional compensation for lands ceded by the Chippewas to the United States in the early 1800's.

Interest has been accumulating since the funds were first awarded and the funds now total in excess of \$7 million. Under the bill, the funds would be transferred to the tribe in a special investment fund and an elderly assistance fund. Income generated from such funds will be used for economic development and for assistance to tribal members who are 50 years old and over. The bill provides only for the use and distribution of the funds awarded to the tribe and does not contain any new authorization of funds since funds to satisfy the award have already been appropriated.

Although the bill as reported by the committee was supported by the tribe and the administration, there were some concerns voiced by some including my colleague, BOB TRAXLER. In an attempt to meet these concerns, an amendment which was drafted under the leadership of my colleague DALE KILDEE has been incorporated in the bill. I want to thank Congressman KILDEE for his leadership and initiative in crafting this compromise. The amendment would set aside \$1 million for the creation of an elderly assistance fund. Income from such a fund would be used to provide assistance to tribal members who are 50 years or older.

I want to emphasize that under the bill, the income from the elderly assistance fund as well as all other benefits generated by the tribal investment fund will be made available to the tribal members in a nondiscriminatory fashion and that no discrimination between the on-reservation and the off-reservation members is allowed.

Mr. Speaker, I believe this amendment improves this bill and I urge my

colleagues to vote for the bill as amended.

Mr. CRAIG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1106, a bill to provide for the use and distribution of funds awarded to the Saginaw, Swan Creek, and Black River Bands of the Chippewa Indians by the Indian Claims Commission in dockets No. 59 and 13E. These funds now total more than \$7 million. S. 1106 would, except for the elderly assistance program, restrict these funds to tribal investment programs.

The tribe and the Michigan congressional delegation, particularly Representative BILL SCHUETTE, are to be commended. The final language of S. 1106 is a compromise which encompasses the concept of tribal awards, but allows for small distributions to assist the elderly members of the tribe. Too many times in the past Congress has approved plans to distribute judgment funds on a per capita basis, leaving the tribe with nothing to assist it in improving the status of the tribe. The claims before the Indian Claims Commission and now the U.S. Claims Court are tribal claims and I believe should, if possible, be used for tribal purposes.

Mr. Speaker, the administration now supports this legislation, and I urge my colleagues to accept this version of S. 1106.

Mr. UDALL. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan [Mr. TRAXLER].

Mr. TRAXLER. Mr. Speaker, I most especially want to take this opportunity to extend my appreciation to the distinguished chairman and Member from Arizona, Mr. UDALL, for his long time and continuing concern for the fate and welfare of the American Indian.

Previously when my distinguished colleague would bring a bill to the floor, it would always have my enthusiastic and 100-percent support. His commitment to the well-being and welfare of the American Indian is well appreciated by every Member of this House and I am sure by Americans across this land. His dedication cannot in the least be challenged.

I do with considerable and great regret announce today that I cannot support the product that is before us and it is my intention to vote no.

I would say to the committee, to the distinguished minority ranking member and to the chairman, that I appreciate the accommodation that has been made within the bill toward the nonreservation Indians. I recognize that this was a concession on the gentleman's part and one for which I am grateful.

I regret that as this compromise went forward, my information was somewhat flawed and the communica-

tion that I received did not fully explain that payments to the nonreservation Indians would be made out of the interest off \$1 million that will be earned over a period of time. Unfortunately, it would be paid to those 50 years of age and older, to all Indians that will be on the rolls who are 50 years of age or older.

Regretfully, the information I had did not state that it would simply be payment made out of interest, that the \$3,000 per capita for those 50 years of age and older would come off the interest from the million dollars and not from the payment for the lands.

I appreciate the efforts that the committee has made in moving in this direction. I am grateful for that; however, I must say that the effort falls a bit short of what I was hopeful for and what I understood to be the compromise. That failure to comprehend I would not in any way suggest rests with the chairman or with the ranking minority member or indeed with the staff. It simply was a matter of improper communication on the part of myself and some others, not including the staff or the committee chairman.

I think to put this in its proper perspective, my sense of commitment here to those nonreservation Indians, the history of the Chippewas is lengthy and it would not be appropriate at this point to go into that history. Suffice it to say that many of the Chippewas who reside on the Kawkawlin River have been friends of my family over 100 years and the good feeling that has existed between those Indians and the people living in the Kawkawlin area is incalculable to describe, impossible to describe.

While there has been some effort to assure that the Indians who are nonreservation will be treated as fairly and as coequals to the reservation Indians, I regret to advise that there is a sense on the part of the off-reservation Indians that that fairness indeed will not occur.

So there is some objection to the establishment of the trust fund and concern as to the equality of it.

I am going to close by telling you that I received a letter from a distinguished full-blooded Chippewa who lives off the reservation. I would like to read it to you. I think that he puts as only a Chippewa could the sense and the feelings of the nonreservations toward this proposal.

He begins by saying:

DEAR SIR: My name is John Nahgongwan and I am a full blooded Chippewa and chief of the Kings-Corner Settlement north of Oscoda and south of Mikado.

I write with deep concern that me and my people and all off-reservation Indians are going to again be cheated out of our money due us for the land long ago stolen.

It seems as but another white man's act—divide and conquer—get Indians squabbling and fighting, then hit them hard. There is

bitterness in my heart and I cannot help it even though I am a Christian.

It is extremely unfair to not give every Indian his money! Our elders cry out from their graves that it is the only honorable and just thing to do—give every Indian his or her money, not just a select few that are organized and have loud tongues to catch the ear of white officials.

Please, please help us. Please let's get all of this business behind us. In the old culture villages when a deer was dragged in it was shared equally. It was the Indian way. It still is the Indian way.

Mr. Traxler, sir, will you please make copies of this letter and send it to each of the others, all other white men doing this Indian business.

I will be watching every day for your answer to my letter.

Yours with much respect,

JOHN NAHGONGWAN,

Chief.

□ 1225

Mr. Speaker, I appreciate the committee's concern and know the reasoning behind their concern, and it is not mine to say that philosophically the position of the committee is incorrect. I would not challenge the committee's right to hold strongly to the beliefs of establishing a trust fund and to utilize the moneys from that for the benefit of the Indians.

My concern with that is in this regard: that many of the off-reservation Indians would have to travel great distances to avail themselves of the fund, of the trust, and of the programs that would be made available, and as a concern that as a practically they may not be able to benefit from this.

The committee in its amendment has rectified some of these concerns, and for that I must say to the committee I am deeply grateful and most appreciative. I would like to have seen things go perhaps a bit further. I would like to have seen the moneys to be paid to those 50 years of age and older be paid right up front in a lump sum to each of them upon the rolls being immediately established and those persons being quickly identified. Time is not on the side of the Indian who is 50 years of age and older, nor will the interest be accumulating as quickly as I would like to see it. Many of them, unfortunately, will die before they can receive that payment.

The SPEAKER pro tempore. The time of the gentleman from Michigan [Mr. TRAXLER] has expired.

Mr. TRAXLER. Would the gentleman extend me the courtesy for 2 additional minutes, please?

Mr. UDALL. I do not have any time. Does the gentleman from Idaho have any time he can give the gentleman?

Mr. CRAIG. Mr. Speaker, I yield 2 additional minutes to the gentleman from Michigan [Mr. TRAXLER].

Mr. TRAXLER. I thank the gentleman for yielding this additional time to me, and I intend to conclude in that period.

Mr. Speaker, it is for those reasons that I must regretfully vote "no" on the bill. I think the committee has come some distance from their original position.

The Chippewas perhaps are in a sense unique in that many of them do not reside on the reservation; indeed, most of them do not. They present for the committee, I think, a little different situation from what we are historically accustomed to dealing with. But again, I am not a member of the committee. I do understand the committee's motives. They are honorable, but I must respectfully disagree with them.

Mr. Speaker, I yield back the balance of my time and extend my deep appreciation to the chairman, to the ranking minority member, for the courtesy they have extended to me over these months as these negotiations have taken place.

Mr. CRAIG. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Michigan [Mr. SCHUETTE], who has played a critical and important role in striking the compromise that is represented in this legislation.

Mr. SCHUETTE. I thank the gentleman for yielding time to me.

Mr. Speaker, as the original sponsor of H.R. 2983, which is the companion bill to S. 1106, the measure we are debating today, I would be remiss if I did not extend my thanks and congratulations to Chairman UDALL for his leadership in the past and certainly in this legislation today, as well as the gentleman from Alaska [Mr. YOUNG] and all the members of the Committee on Interior and Insular Affairs for acting in a swift and speedy fashion on the Saginaw-Chippewa Tribe of Michigan Distribution of Judgment Funds Act.

This legislation creates a trust fund, an investment fund of approximately \$10 million awarded the Saginaw, Swan Creek, and Black River Tribes of the Chippewa Indians by the Indian Claims Commission based on treaties executed in 1805, 1807, 1817, and 1819.

The Saginaw-Chippewa Tribe today is located on a reservation in Mount Pleasant MI, in Isabella County in the 10th Congressional District of Michigan. In the past, legislation had offered per capita distribution to descendants, and I think that is an important goal and important legislation, but this new legislation today has a novel, a new, an innovative concept of an investment fund where the principal amount remains intact and the income generated by the investment fund of some \$10 million would be utilized to improve the quality of life of the tribe, would be utilized to boost the infrastructure on the reservation and promote economic development and investment of tribal resources.



That is the intent and that is the thrust.

This trust fund provides a steady source of income directed to 10 priorities, and these are important, including health care, elderly assistance, business development and investment, education for young men and women, legal services and juvenile programs, and in an effort to try to accommodate and to be fair and to hear all sides, in an effort to protect the descendants who may not live on the reservation, the tribal council amended the constitution to all of those who have at least 25 percent blood quantum and all would benefit from every economic and social program, regardless of where they may reside. That is important. That protects the descendants.

Some key provisions and thrust of the bill I would like to briefly offer.

First, section 3 creates the investment fund, prohibits the per capita distribution, and has principal residing in a trust fund, income generated from that, to promote growth on the reservation and health care services for Indian members wherever they may reside. The Senate, in an effort to further protect the descendants, had an amendment that the constitution must be amended, and 18 months after that period of time no income can be generated or utilized. Again, this is an effort to protect the descendants.

Third, another key factor on section 3 is a \$1 million trust fund for elderly assistance. That is a goal that I think is important. My colleague, the gentleman from Michigan [Mr. TRAXLER] and I rarely disagree. This is one instance where we have a difference of opinion coming from honorable goals, I may add, providing for those Indian members 50 years or older who would receive a one-time \$3,000 payment from the income generated from the trust fund. So we are trying to have a compromise and be fair to all members. Again, I think that is an effort to try to strike a reasonable compromise to this difficult situation.

Once the \$3,000 one-time payment is made from the income, then these moneys would come back into the investment fund, again to provide further infrastructure building on the reservation.

Section 4 concerns the tribal constitution. The House Committee on Interior and Insular Affairs amended this section to prohibit the adoption of any amendments until 18 months after the adoption of the membership amendments. Descendants feared that once membership was opened to those with 25 percent Saginaw-Chippewa blood quantum, the constitution could be amended once more to disenfranchise these new members. This will not happen. With this provision, the descendants' rights and the descendants' privileges are fully protected.

Section 5 deals with the Secretary of the Interior and the authority to administer the trust fund is given to the tribe without the supervision of the Secretary of the Interior. Ordinarily, each expenditure must receive the Secretary's approval. This bureaucratic procedure effectively ties the hands of the tribe. My bill eliminates this requirement except in one instance.

The Committee on Interior and Insular Affairs included a provision that after notice and hearing, the Secretary of the Interior could indeed administer the trust fund up to 6 months if the tribal council has materially failed to administer the fund. Again, this is a safeguard and appropriate discretion in the Secretary.

Section 9 includes an antidiscrimination clause, again to protect the descendants, which requires that any and all expenditures—underline that—any and all expenditures must benefit all members, those located on and those located off the reservation.

□ 1235

Mr. TRAXLER. Mr. Speaker, will the gentleman yield on that point?

Mr. SCHUETTE. I am happy to yield to the distinguished gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, as I understand the gentleman, then, it would be the gentleman's intent, and I am sure the intent of the framers of the legislation, that there be, as you say, no discrimination as between those Indians who are the tribal, living on the reservation, and those descendants who are not on the reservation, as to those benefits which would be provided out of the trust fund or out of the trust fund income. Is that a correct statement?

Mr. SCHUETTE. That is correct; the gentleman from Michigan [Mr. TRAXLER] is correct.

Mr. UDALL. Mr. Speaker, let me, for the purpose of the record, say that I join in the response that that is correct.

Mr. TRAXLER. Mr. Speaker, if I may just for a moment continue, and I am pleased the chairman has responded here, then would it be fair to say that while we cannot exactly see the nature of the programs that would be established, for instance, if there are health programs, then it is fair to say, then, that the descendants, nonreservation, would have equal access to those health programs? If it is a job-training program, they would have equal access, even though those programs are offered on the reservation?

Everything that the tribal Indian would be entitled to under the trust funds, then we can safely say that the off-reservation, the descendant Indian, would also be eligible for. Is that the intention of the committee, I might ask?

Mr. SCHUETTE. The gentleman from Michigan [Mr. TRAXLER] is correct. That is the thrust, the intent, the safeguards and, from the standpoint of no income or service will be generated until 18 months, so we do have the ability for those to join the tribe no matter where one may reside.

Mr. UDALL. Mr. Speaker, I concur in that interpretation.

Mr. TRAXLER. Mr. Speaker, I thank the distinguished chairman and the gentleman from Michigan, my good colleague.

Mr. SCHUETTE. Mr. Speaker, I thank the gentleman from Michigan [Mr. TRAXLER] and the chairman, the gentleman from Arizona [Mr. UDALL].

Section 9, as I was stating, is an antidiscrimination clause so that any program will benefit all of the members. Again, that is fairness and that is a fair compromise.

Let me say one final thing. I wish to thank the Members of the Michigan delegation, specifically the gentleman from Michigan, Mr. PURSELL; the gentleman from Michigan, Mr. CONYERS; the gentleman from Michigan, Mr. VANDER JAGT; the gentleman from Michigan, Mr. BONTOR; the gentleman from Michigan, Mr. SILJANDER; the gentleman from Michigan, Mr. CROCKETT; the gentleman from Michigan, Mr. DAVIS; the gentleman from Michigan, Mr. WOLPE; the gentleman from Michigan, Mr. BROOMFIELD; and the gentleman from Michigan, Mr. LEVIN, who have cosponsored my bill, plus the Michigan representatives in the other body who were able to pass Senate bill 1106 on July 31, 1985.

The Assistant Secretary for Indian Affairs, Mr. Ross Swimmer, has lent his vital support, as has the administration and the Department of the Interior.

I urge my colleagues to support the Saginaw Chippewa judgment fund distribution legislation. It is a fair compromise. It is innovative. It is a novel approach and we will help the infrastructure, we will promote growth and development and we will offer a better quality of life to those descendants and those members of the Saginaw Chippewa Tribe who are living on the reservation.

I urge my colleagues to vote for this in a speedy and swift fashion so we continue to move on.

Mr. DICKS. Mr. Speaker, will the gentleman from Arizona [Mr. UDALL] yield to me for 1 minute to speak out of order?

Mr. UDALL. I yield 1 minute to the gentleman from Washington.

(By unanimous consent, Mr. Dicks was allowed to speak out of order, to revise and extend his remarks and to include extraneous materials.)

RETAIN SALT CEILINGS

Mr. DICKS. Mr. Speaker, we stand at a crossroads in regard to the nucle-

arms race. We can throw out what progress we have made in controlling nuclear weapons over the last 15 years, as the administration would have us do, or we can retain limits on such weapons while we strive in Geneva to achieve deep reductions.

The gentleman from Florida [Mr. FASCELL] has introduced a nonbinding resolution calling on the President to adhere to the numerical limits of the SALT agreements as long as the Soviet Union does likewise, which I am proud to cosponsor. I hope that the President will recognize the support in the Congress for this position, and the concerns of our allies, and announce his willingness to follow this policy.

But given the announcement of May 27, and subsequent statements from administration officials such as Mr. Weinberger and Mr. Perle, I have to doubt that any change will be forthcoming. In such an event, I believe the Congress must be ready, and willing, to act to uphold not only the existing arms control structure, but our own national security interests.

An extremely interesting analysis was included in the June 8 edition of the Washington Post examining past United States and Soviet strategic weapons production and probable future direction in the absence of SALT ceilings. I urge my colleagues to review this information to understand why I and many others are fighting to retain numerical limits on national security grounds.

Already, 121 of my colleagues have joined in sponsoring H.R. 4919, to retain the numerical limits of SALT unless specifically waived by congressional action. I believe that if there is to be any hope for persuading the President to voluntarily adhere to these ceilings, it will require a demonstration that we are willing to act on our own if given no other choice. Cosponsorship of H.R. 4919 will do just that.

[From the Washington Post, June 8, 1986]

**WITHOUT SALT, THE RACE IS ON—AND THE SOVIET UNION LOOKS LIKE THE WINNER, GOING AWAY**

(By David Ignatius)

Who will fare best in a world without the constraints of the SALT II treaty? Will the United States be able to build weapons more quickly and efficiently than the Soviet Union? Or will we be running free in an arms race that we may lose?

President Reagan apparently is convinced that America can win this race and achieve greater security without SALT and its limits. Thus his surprise announcement two weeks ago that the U.S. will no longer feel bound by the "standards contained in the SALT structure" and will instead respond to the "threat posed by Soviet strategic forces."

A gloomier view of our prospects in the arms race emerges from statistics gathered by the Central Intelligence Agency and the Defense Intelligence Agency. This data, summarized in the accompanying tables, shows that with a roughly equal military

budget, the Soviets have been able to produce much more military hardware than the United States.

Moscow, in other words, is likely to get more bang for the buck in the arms race than many analysts predict will follow abandonment of SALT II.

This military analysis of life after SALT offers an alternative to the moralizing, pro and con, that tends to dominate the arms-control debate. And it helps answer the one question of overriding importance in the SALT debate. Will the United States be more secure with the treaty, or without it?

Consider the CIA and DIA data, which was presented three months ago in testimony to the Joint Economic Committee. The statistics show that with slightly greater defense spending from 1974 to 1985 the Soviets were able to produce a vastly larger volume of weapons.

The adjoining table marked "Output" documents this startling gap between U.S. and Soviet arms production. From 1974 to 1985, the Soviets produced more than three times as many strategic missiles; nearly 10 times as many surface-to-air missiles; 50 times as many bombers; nearly twice as many fighters; more than three times as many helicopters; more than twice as many submarines; three times as many tanks, and 10 times as many artillery pieces.

There are many reasons for this disparity: Pentagon mismanagement, congressional meddling, the military's enthusiasm for "gold-plated" state-of-the-art weapons that can only be purchased in small quantities, and the Soviet push during the 1970s to match U.S. force levels.

But the reasons for the gap matter less than the fact that it exists—and may get worse in a post-SALT era. That's because the superpower tensions that drive Soviet weapons spending may lead a skittish U.S. Congress to cut our defense budget in an effort to slow the arms race. There are already signs that President Reagan's decision to abandon SALT may have precisely that effect. Indeed, only days after his announcement that the U.S. wouldn't feel bound any longer by SALT limits, Reagan was appealing to Congress not to cut spending for the nation's nuclear forces.

OUTPUT—U.S. & SOVIET PROCUREMENT OF MAJOR WEAPONS SYSTEMS, 1974-85<sup>1</sup>

System	U.S.	U.S.S.R.
ICBM's & SLBM's	1,050	3,500
Surface-to-Air missiles <sup>2</sup>	11,700	105,000
Long & Intermediate range bombers	8	400
Fighters	4,050	7,800
Helicopters	2,050	6,500
Submarines	44	110
Major surface combatants	98	90
Tanks	8,400	27,000
Field artillery	2,200	22,000

<sup>1</sup> These numbers represent gross additions to weapons inventories and do not reflect retirements because of obsolescence or SALT restraints.

<sup>2</sup> Does not include naval or portable SAMs.

THE FUTURE—SOVIET PROCUREMENT OF SELECTED WEAPON CLASSES

Weapon class	Estimated 1981-85	Possible 1986-90
ICBM's & SLBM's	800	1,700
Submarines	40	50
Tanks	12,500	18,000
Fighter Aircraft	2,400	2,000
Helicopters	2,500	2,100
Strategic Bombers	200	210

<sup>1</sup> Although projections suggest lower overall numbers in these categories, the missiles, fighters, and helicopters the Soviets will procure during 1986-90 are more complex, capable, and costly than those purchased during 1981-85. Source: CIA & DIA.

The CIA and DIA data make clear that the Soviets are well-positioned for the new arms race. "Most Soviet weapons expected to be delivered to the Soviet forces through 1990 will be manufactured in plants already built and operating," the agencies said in their congressional testimony.

The future imbalance in U.S. and Soviet military procurement is suggested by the accompanying table labelled "The Future," which was prepared by the CIA and DIA before the administration announced its decision to abandon the SALT limits. The table projected that over the next five years, the Soviets would outproduce their already high procurement levels of the past five years in submarines, tanks and strategic bombers. They would produce only slightly fewer strategic missiles, fighters and helicopters, the intelligence agencies noted.

The picture becomes even gloomier when you assumed that both sides have abandoned SALT entirely. A report prepared last March by Rep. Les Aspin (D-Wis.), chairman of the House Armed Services Committee, does just that.

Intelligence data cited by Aspin show that, in his words, "the Soviets have two, inherent advantages that would allow them to spurt forward with force increases faster than we if SALT were undercut."

These Soviet advantages include greater "throw-weight" for their missiles, which would allow them to carry more warheads with their existing arsenal of rockets, and "hot production lines" for strategic weapons. The Soviets, for example, are already producing eight major new strategic systems—two new ICBMs, two new strategic bombers, two new missile-carrying submarines and two new missiles for these subs. The U.S., in contrast, has only three such "hot production lines."

Aspin estimates that because of the production-line disparity alone, Soviet strategic forces could grow by 65 percent by 1989, compared to only 45 percent growth for the U.S., if SALT is scuttled.

The post-SALT danger to the U.S. won't come just from the new weapons the Soviets can build, but from the older ones they don't have to retire. Aspin notes that continued observance of the SALT treaty would force the Soviets to retire more than twice as many missile launchers as the U.S.

Military comparisons like these help explain why the Joint Chiefs of Staff, until recently, were skeptical—on military grounds—about the wisdom of abandoning the SALT II restraints.

The danger for the Reagan administration is that in abandoning SALT II, it could get the worst of all possible outcomes. The administration's announcement could frighten the Congress into cutting U.S. strategic programs; and it could frighten the Kremlin into stepping up Soviet arms spending. In such a world, even the Reaganites might pine for the good old days of SALT.

Mr. UDALL. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Speaker, I thank the chairman for yielding to me and I would also like to thank Chairman UDALL for the time and effort he has spent in moving this legislation through the Interior Committee. His



fair and firm leadership, and his patience, has helped us fashion a compromise that may not completely satisfy everyone, but does hopefully provide the most just solution possible where unanimity cannot be achieved.

Mr. Speaker, I rise in support of S. 1106. The Saginaw Chippewa people have waited a long time for these judgment funds, and I am pleased that their dreams are finally being fulfilled. We owe the native Americans much more than mere financial compensation. These funds can only be considered partial payment for the pain and suffering these proud people have endured.

The House amendments to S. 1106 benefit Saginaw Chippewa Indians who live both on and off the tribal reservation. The bill requires the tribe to expand its membership to include descendants of at least one-quarter Saginaw Chippewa blood who live off the reservation. The bill also establishes an investment fund to promote development for all members, both on and off the reservation.

I am very pleased that the bill as amended will provide direct and immediate assistance to the older members of the tribe. On May 24 I held a meeting with several leaders of the descendants in my Flint office. Foremost among their concerns was their feeling that the tribal elders should receive some immediate compensation for their patience over the long years of waiting for this measure of justice.

The bill as amended addresses this concern by establishing an elderly assistance program; \$1 million of the judgment funds will be set aside for this program. The interest and income generated from this \$1 million will be distributed on a per capita basis to each tribal member over 50 years of age until the per capita share of each tribal elder totals \$3,000. The \$1 million will then revert back to the general investment fund for other uses.

Mr. Speaker, I would like to take this opportunity to thank my good friend from Michigan, BOB TRAXLER. His strong tenacity in seeking a greater degree of justice for those descendants living off the tribal reservation whom he regards so highly and knows so well has greatly improved this bill from its original form. His personal feelings have greatly influenced the Interior Committee's consideration of this matter and without his perseverance this bill would not be nearly as equitable as it currently is.

Mr. TRAXLER. Mr. Speaker, will the gentleman yield?

Mr. KILDEE. I am glad to yield to the gentleman from Michigan.

Mr. TRAXLER. Mr. Speaker, I am grateful to my distinguished colleague from Flint, Mr. KILDEE, for his kind words. It would only be appropriate for me to reciprocate and tell the gentleman how much I appreciate his

being, in a sense, my spokesman on the committee and in a way, carrying the good efforts on the part of the descendants' cause.

I regret that for the reasons I stated earlier in the debate, I cannot support this end product. I am appreciative of the consideration extended to my views through the gentleman from Michigan [Mr. KILDEE] and by the chairman and ranking member. Again, I regret that I must personally vote no on this matter.

Mr. KILDEE. Mr. Speaker, I certainly recognize the strong and very deep feelings on this and again reiterate that without that concern and tenacity, this bill would not be as good a bill as it is.

Mr. Speaker, the legislation we pass in this Congress is not written on Mount Sinai; it's written here by reasonable but fallible people working together to find reasonable solutions to sometimes difficult problems. S. 1106 is not a perfect bill but it is a reasonable and realistic bill that will bring a measure of justice for all those involved. I strongly urge my colleagues to approve this legislation.

□ 1245

Mr. CRAIG. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. UDALL. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona [Mr. UDALL] that the House suspend the rules and pass the Senate bill, S. 1106, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### ESTABLISHMENT OF NATIONAL CEMETERY IN OR NEAR CLEVELAND, OH

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4345) to authorize the Administrator of Veterans' Affairs to establish a national cemetery in or near Cleveland, OH.

The Clerk read as follows:

H.R. 4345

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORITY TO ESTABLISH NATIONAL CEMETERY.

(a) AUTHORITY.—The Administrator of Veterans' Affairs is authorized to establish a national cemetery in or near Cleveland, Ohio.

(b) LAND ACQUISITION.—The Administrator may acquire land necessary for the cemetery authorized by subsection (a) by donation, purchase, condemnation, exchange of

lands in the United States public domain, or otherwise.

(c) ADMINISTRATION.—A national cemetery established under this section shall become part of the National Cemetery System and shall be administered under chapter 24 of title 38, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes and the gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 20 minutes.

The Chair recognizes the distinguished gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Subcommittee on Housing and Memorial Affairs, the gentleman from Alabama [Mr. SHELBY].

Before doing so, I want to commend the gentleman from Alabama for the time and attention he has given to protecting our Nation's veterans programs during this session of the Congress. On two occasions, Congressman SHELBY has brought legislation to the floor to protect the Veterans Home Loan Program and today has this bill on the floor for consideration by the House. I commend him for his leadership, and I yield to him at this point.

Mr. SHELBY. Mr. Speaker, I urge favorable consideration of H.R. 4345, a bill authorizing the Veterans' Administration to establish a national cemetery in the Cleveland, OH, area.

The National Cemetery System was established within the Veterans' Administration on June 18, 1973, by Public Law 93-43. Shortly thereafter, the regional cemetery concept, based on 10 standard Federal regions, was adopted as an interim method of system expansion.

In a draft study, the Department of Memorial Affairs of the Veterans' Administration has reassessed the regional cemetery system in terms of future expansion. The study states that although the establishment of regional cemeteries is considered to be the best method of expansion to meet immediate needs, one national cemetery in each region of the country does not equitably meet the needs of the veteran population as a whole.

The draft study concluded that the need for further expansion within the various regions remains.

Future expansion of the National Cemetery System to meet the needs of the country can be accomplished with some adjustments to the regional concept. The VA believes that veteran population density is the most effective and equitable criterion for expansion. We on the committee concur with this general concept.

The Veterans' Administration has compiled a list of top 10 areas of the

country in which there is a need for a national cemetery. One of the areas listed is Cleveland which has a veteran population of 790,000.

I wish to commend the gentleman from Ohio, the Honorable BOB McEWEN, for introducing this legislation to establish this cemetery. I also wish to commend the chairman of the full committee, the distinguished gentleman from Mississippi, the Honorable SONNY MONTGOMERY, for moving on this bill so expeditiously.

I also want to thank the ranking minority member of the subcommittee, the distinguished gentleman from New Jersey, for his efforts and support.

Mr. Speaker, I urge favorable consideration of this measure.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4345, a bill to establish a national cemetery in the Cleveland, OH, area. The need for this cemetery is unquestioned. Cleveland is an area of the country with one of the highest priorities for cemetery construction, as identified by the Veterans' Administration.

Mr. Speaker, I do not believe it is too much to ask for the Government to set aside special places of honor for the final repose of men and women who faithfully wore the uniforms of our armed services.

Mr. Speaker, the cost for the cemetery is minimal, and the land for the cemetery would be acquired at the discretion of the Administrator of Veterans' Affairs by purchase, donation, exchange or otherwise. Total outlays for the cemetery between fiscal years 1987 and 1991 would be under \$5 million, assuming the land is donated. The VA customarily obtains cemetery land by donation.

I commend Mr. McEWEN of Ohio, a member of the Veterans' Affairs Committee, for conceiving of and introducing H.R. 4345. Also, Mr. SHELBY, chairman of the Subcommittee on Housing and Memorial Affairs, and Mr. SMITH of New Jersey, ranking member of the subcommittee, played key roles in bringing this bill to the floor. And of course, my good friend, SONNY MONTGOMERY, who is the distinguished chairman of our committee, provided invaluable leadership as the bill moved through the legislative process.

This cemetery would be a fitting and permanent way to remember Ohio's veterans. America has a high obligation to all of those who have unselfishly been willing to put their lives on the line for democracy. When they have finished life's course, let us not turn our backs on them and their families.

Mr. Speaker, I urge my colleagues to vote for passage of this legislation.

Mr. Speaker, I yield whatever time he may consume to the gentleman

from New Jersey [Mr. SMITH], the ranking member of the subcommittee.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of H.R. 4345, a bill which would authorize the Administrator of the Veterans' Administration to establish a national cemetery in or near Cleveland, OH.

As my colleague from Alabama, the distinguished chairman of the subcommittee has pointed out, the Cleveland area is in great need of a national cemetery with a veteran population of over 790,000.

I congratulate our colleague from Ohio Mr. [McEWEN] for his perseverance and leadership in getting this national cemetery for the veterans of his State. Bob has pushed hard for this bill and the results are apparent today.

Let me also take this opportunity to applaud the efforts of our distinguished chairman, Mr. MONTGOMERY, the chairman of the committee, for his work; Mr. HAMMERSCHMIDT, in moving this bill through the committee; and of course Mr. SHELBY, the chairman of the Subcommittee on Housing and Memorial Affairs, for marking up the bill.

I urge my colleagues to support the bill. It is a simple bill but an excellent bill. It is much-needed legislation for veterans of the Cleveland area.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio, [Mr. McEWEN], a member of the committee.

Mr. McEWEN. Mr. Speaker, I want to express my sincere appreciation to you and to the distinguished chairman of our committee, SONNY MONTGOMERY, for your efforts to act upon this legislation so expeditiously. In addition, I want to thank our subcommittee chairman, RICHARD SHELBY, and the ranking member, CHRIS SMITH, for their important support for H.R. 4345.

As you have noted, Mr. Speaker, H.R. 4345 would authorize the Administrator of the Veterans' Administration to establish a national cemetery in or near Cleveland, OH. Along with my colleagues from Ohio, I have sponsored this legislation which will meet the future cemetery needs for Ohio's veterans. The Cleveland area currently ranks as one of the highest in the country most in need of a national cemetery.

Good management practices dictate that national cemeteries be provided in locations where they will serve the largest number of veterans. Northeastern Ohio is such a location. This area has a veteran population of nearly 800,000 veterans. Moreover, the establishment of a national cemetery in this area would provide burial privileges for almost 8 percent of the veterans presently unserved.

I am aware of the regional cemetery concept which has been put forth by

the Veterans' Administration and that such a regional cemetery currently exists at Fort Custer, MI. However, this cemetery does not serve the Cleveland area which is nearly 257 miles away. In fact, there are only two veterans from Ohio which have been buried in that facility. In my view, it is imperative that we give priority to this cemetery project which will serve a substantial number of our Nation's veterans in the Cleveland, OH, area.

Mr. Speaker, it is through our national cemeteries, more than anything else, that our Nation pays tribute, not only to our war dead, but to all those who have served in military service. I urge my colleagues to support this important legislation.

Once again, Mr. Speaker, for their cooperation and kindness, I thank our committee chairman, our ranking member, the subcommittee chairman and the subcommittee ranking member, and the committee staff. I am appreciative of their service.

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this bill. I believe it is important that we establish national cemeteries in areas that can properly serve the families of our Nation's veterans. This is a deserving location and one that I hope the Veterans' Administration will consider in its immediate plans.

Mr. Speaker, at this point, I want to acknowledge the interest that has been expressed by members of the congressional delegation from Ohio, especially the ranking minority member of our Subcommittee on Education, Training and Employment, Mr. McEWEN. BOB McEWEN is a very able and active member of the committee and I appreciate the leadership role he has played in getting this measure to the floor. I also want to acknowledge the work of the gentleman from New Jersey, the ranking minority member of the subcommittee, Mr. CHRIS SMITH, as well as the other members of the subcommittee. I thank them for their work and I urge adoption of the bill.

□ 1255

Mr. STOKES. Mr. Speaker, it is with great pleasure that I rise today in support of H.R. 4345, which would establish a national cemetery in the Cleveland, OH, area. I would first like to commend by distinguished colleague and friend, Congressman BOB McEWEN for authoring this measure, and the distinguished chairman of the Veterans' Affairs Committee for his leadership in bringing this measure before the full House of Representatives.

Mr. Speaker, there are over 790,000 veterans living in the Cleveland, OH, area. This figure represents approximately 7.7 percent of our Nation's total veteran population presently unserved by a national cemetery in close proximity to their domicile. In fact, the closest



national cemetery to Cleveland is Fort Custer, located more than 250 miles away in the State of Michigan. This distance imposes an extreme burden on the families of veterans from the Cleveland area, as they are forced to travel long distances to visit their loved ones. This burden is further compounded by the fact that interments at national cemeteries are limited by choice of the family, to those who reside within a 100-mile radius of the cemetery. I would further like to point out that presently there are only two Ohio veterans buried at the Fort Custer facility, and it is anticipated that this facility will close sometime in the next 15 to 20 years due to lack of space.

Mr. Speaker, the need for a national cemetery in the Cleveland area is apparent. In a recent report prepared by the Veterans' Administration, the Cleveland, OH, area was listed second in the United States as areas in need of veteran burial space. I call upon my colleagues in this body to lend their support to this measure, and by so doing, send a message to our Nations veterans that their service to our Nation will not be forgotten nor go without reward.

Today represents a big step for the veterans of Ohio, and it is with extreme pleasure that I stand before you today in support of this important measure.

Mr. HAMMERSCHMIDT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MONTGOMERY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 4345.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

#### DOMESTIC VOLUNTEER SERVICE ACT AMENDMENTS OF 1986

The SPEAKER pro tempore. Pursuant to House Resolution 463 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4116.

□ 1256

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4116) to extend the Volunteers in Service to America [VISTA] Program under the Domestic Volunteer Service Act of 1973, with Mr. MONTGOMERY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule the first reading of the bill is dispensed with.

Under the rule, the gentleman from Montana [Mr. WILLIAMS] will be recognized for 30 minutes and the gentleman from Michigan [Mr. HENRY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I yield myself such time as I may consume.

Mr. WILLIAMS. Mr. Chairman, I rise in favor of H.R. 4116, the Domestic Volunteer Service Act Amendments of 1986.

On February 4, 1986, I introduced H.R. 4116, to reauthorize the Domestic Volunteer Service Act. On May 7, the Committee on Education and Labor favorably reported this legislation which provides for a 3-year reauthorization of the National Volunteer Anti-poverty Programs, the Older American Volunteer Programs and the ACTION Agency.

Changes brought about by this legislation include the addition of a new section to clarify the ACTION Agency's purpose with respect to its role in promoting volunteerism. ACTION is directed to utilize the programs authorized under this act, VISTA, the Retired Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program to expand citizen service throughout the Nation.

In hearings held on this legislation, the committee received testimony regarding VISTA recruitment procedures. Current ACTION Agency policy turns over most of the responsibility for recruiting VISTA volunteers to the local sponsoring organizations. The effect of this policy has been to severely limit opportunities for VISTA volunteer services to those individuals who know of an already approved VISTA project in his or her community that has not yet recruited its quota of approved VISTA volunteers. Thus, H.R. 4116 requires the Director of the ACTION Agency establish procedures to expand local and national efforts to recruit and assign individuals to serve as VISTA volunteers and to expand media and public awareness efforts. The Director is further required to submit a report to the authorizing committees outlining the steps taken

to comply with these recruitment procedures.

Recognizing the valuable contribution that VISTA volunteers currently make to our efforts to combat illiteracy throughout our Nation, H.R. 4116 establishes the VISTA Literacy Corps. The purpose of the corps is to utilize VISTA volunteers to strengthen, supplement and expand efforts to address the problem of illiteracy throughout the United States. The corps consists of all VISTA volunteers working on literacy projects and programs, not just those funded pursuant to this new authority.

The bill provides for placement of volunteers to projects or programs that are designed to meet the special needs of low-income illiterate individuals. It provides for a separate effort and authorization for placing VISTA volunteers in literacy programs or projects that utilize those volunteers as mobilizers and catalysts. It also provides for a separate effort and authorization for placing VISTA volunteers in literacy programs or projects that primarily utilize those volunteers to tutor illiterate individuals.

Further, it is our intention that activities performed under the new authority be used to supplement and not supplant the level of services provided under part A in fiscal year 1986.

H.R. 4116 also changes the requirements regarding evaluation of ACTION Agency programs. Currently, the Agency is required to evaluate all of its programs every 2 years. The bill changes this requirement to every 3 years.

This bill sets authorization levels for title I, part A, the VISTA Program at \$25 million for fiscal year 1987. This represents no increase over fiscal year 1986. VISTA would receive a 5-percent increase in the outyears.

H.R. 4116 provides separate authorizations for the new literacy initiatives established under sections 109(c) and 109(d) of the bill. To carry out efforts established by section 109(c), \$2, \$3, and \$5 million are authorized for fiscal years 1987, 1988, and 1989, respectively. Such sums as may be necessary are authorized to carry out efforts established by section 109(d) for fiscal years 1987, 1988, and 1989.

It authorizes title I, part B, the Service Learning Programs at \$1,800,000 for each fiscal years 1987, 1988, and 1989 and title I, part C, the Special Volunteer Programs at \$1,984,000 for each fiscal years 1987, 1988, and 1989. This also represents no growth for these programs.

This legislation requires that of the moneys available for title I programs, there must first be available for the VISTA Program an adequate amount of funds to produce a minimum of 2,600 service years for fiscal year 1987; 2,730 service years for fiscal year 1988;

and 2,865 service years for fiscal year 1989. This service year funding floor mechanism sets VISTA as the priority title I program and ensures that part A, VISTA, first receives a minimum funding level prior to providing funding for parts B and C of title I. VISTA is a direct service program. Parts B and C are small grants programs that currently are only being minimally funded. It is wise, I think, for the Congress to continue to require that direct service programs receive a priority. It is also important to note that this funding floor does not affect funding for programs like the Older American Volunteer Programs, which are authorized under title II of the act. Foster Grandparents, RSVP, and Senior Companions receive their funding through separate authorizations which are unaffected by the VISTA funding floor provision.

The legislation also provides \$25,000,000 in administration and coordination funds for the ACTION Agency for these years. This represents a 1.2-percent decrease from its fiscal year 1986 authorization level.

Finally, H.R. 4116 makes certain technical and conforming amendments, including clarification of statutory language regarding the Service Learning Programs and specifically, the University Year for ACTION Program; the addition of a definition of Indian tribe; clarification of statutory language to make the act gender free; and establishment of the effective date as October 1, 1986.

Mr. Chairman, I reserve the balance of my time.

Mr. HENRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as a representative of the minority on this bill, I know of no one in the minority who has any reservations relative to the merit of each of the programs outlined here.

Clearly, particularly in a time when our local units of government are threatened with reduction or a cutoff of revenue sharing, and are also threatened with their own budgetary restraints and cuts in community services block grants, support for these programs becomes particularly important. On the other hand, recognizing that the bill before us is authorizing and not appropriating, nonetheless I think it would only be fair to say that those of us on the minority side are concerned by the amounts which are being authorized in the bill, given the budgetary constraints we face, and the need to reflect priorities, even in authorizing levels.

In my own city of Grand Rapids, for example, the VISTA Service Program provides in many respects the executive direction of many of our neighborhood organizations. The Senior Companions Program, about which I feel very strongly and about which I have discussed with the gentleman from

Michigan [Mr. KILDEE] has in some respects set a model for possible uses of Older Americans moneys to fill the needs of senior citizens who are facing earlier discharges in many cases in more frail condition, from health care institutions.

Thus recognizing the wisdom of these programs and the merits of these programs, at the same time I for one must offer a word of caution on behalf of those who are concerned about raising the hopes of those so sorely in need of these programs by passing authorization levels that are not likely to be appropriated.

Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, reauthorization of the Domestic Volunteer Service Act of 1973 will enable the programs administered by the ACTION Agency to continue their various activities around the country designed to fight poverty and provide assistance to needy individuals in our society. I would like to recognize the efforts of Chairman PAT WILLIAMS of the Subcommittee on Select Education, Chairman DALE KILDEE and Ranking Member TOM TAUKE of the Subcommittee on Human Resources in the development of this legislation.

H.R. 4116 contributes to the ACTION Program, but includes two serious flaws which will require serious deliberation and debate by the House. These flaws concern funding levels and in fact will turn on the issue of the role and meaning of the House budget resolution. In considering the amendments that will be offered to bring H.R. 4116 in line with the House budget resolution, Members of the House will be asked to go on record as to whether we as a body will live within the budget we have set for ourselves or whether at the first opportunity following passage of the House budget resolution, we choose to ignore our budget and essentially live beyond our means. I am confident that the House will respond to this debate positively, and resolve to live within the parameters laid out in the House budget resolution.

The authorization levels for all of the programs contained in H.R. 4116 are unnecessarily high and an amendment will be offered which will seek to lower the authorization levels in the bill to be consistent with the fiscal year 1986 presequestration appropriation level. As reported out of committee, the authorization levels in H.R. 4116 for fiscal years 1987, 1988, and 1989 represent percentage increases of 16.8, 21.2, and 26.0 percent, respectively, over the fiscal year 1986 presequestration appropriations. The authorization levels in H.R. 4116 are 20 to 30 percent higher than the level of \$145 million targeted in the House budget resolution. Even accounting for the

\$1.5 billion cushion provided in function 500, the funding levels in H.R. 4116 are outside the House budget.

A second amendment will be offered for debate which will seek to lower the VISTA service-year funding floor from the current levels contained in H.R. 4116. Historically, the VISTA service-year funding floor contained in the authorizing legislation dictates the program's appropriation. The VISTA service years designated in H.R. 4116 of 2,600 for fiscal year 1987, 2,730 for fiscal year 1988, and 2,865 for fiscal year 1989, will, if past practice holds, assuming a 3-percent inflation rate, yield appropriations increases of 11.3 percent for fiscal year 1987 and 8 percent for fiscal years 1988 and 1989.

I will offer an amendment on the floor which is consistent with the House budget resolution and which will maintain the VISTA service-year floor at its current level of 2,400 for the 3 years of the reauthorization. My amendment will maintain the VISTA Program at its current services level and will in fact necessitate an inflationary increase in appropriations. Again, in light of the current deficit, as well as other programs of higher priority, H.R. 4116's current VISTA service-year level is unnecessarily high.

Mr. Chairman, we are approaching that time of the budget process when the House must demonstrate its ability to act according to the budget blueprint it has set out for itself. I look forward to the House's consideration of H.R. 4116.

□ 1310

Mr. WILLIAMS. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Chairman, I am pleased to speak in enthusiastic support for the Older American Volunteer Programs, included in the Domestic Volunteer Service Act amendments we are discussing today. I wish to commend my colleagues, Mr. KILDEE and Mr. WILLIAMS for their fine leadership on this important legislation.

I can think of no other Federal activity that better embodies the spirit of community than the Older American Volunteer Programs. The Retired Senior Volunteer, Foster Grandparent, and Senior Companion Programs provide low-income senior citizens with the opportunity to use their talents, resources and time to assist other elderly persons less fortunate than they, or to work with children with special needs. In return for their services, these special seniors receive a small stipend, transportation assistance, meals during volunteer assignments, annual physical exams and accident and personal liability insurance.



During a recent trip to my home district in San Jose, CA, I had the opportunity to visit with some senior volunteers working in local schools. It was truly a pleasure to see this fine Federal program in action. I'm sure if every one of my colleagues had the opportunity to observe these special volunteers, they, too, would take pride in supporting this legislation.

I hope that my colleagues will join me today in supporting the authorization levels for the Older American Volunteer Programs included in the Domestic Volunteer Service Act amendments. These modest dollar amounts represent a Federal investment whose reward, I am sure we can all agree, is truly immeasurable.

Mr. WILLIAMS. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. I thank the gentleman for yielding.

Mr. Chairman, while I strongly support all the programs authorized by this legislation, I would like to call particular attention to the Older American Volunteer Programs which fall under the jurisdiction of the Human Resources Subcommittee which I chair.

The three senior volunteer programs reauthorized by this legislation are designed to provide opportunities for older individuals to continue to contribute in a meaningful way to their communities.

Through a wide range of volunteer activities, they provide important assistance in schools, hospitals, homes, and various community facilities and institutions to those with physical, mental, or social needs.

The programs serve two purposes:

First, they provide opportunities for older individuals to be active, contributing members of their communities.

Second, communities benefit from the experience, enthusiasm, and dedication of the older volunteers who serve in these programs.

RSVP volunteers serve in just about every community institution where assistance is needed.

In recent years, RSVP volunteers have served in such areas as food distribution programs, housing, health, nutrition, tutoring programs, and youth services.

Foster Grandparents serve handicapped children 1 on 1 in hospitals, in schools, and in group homes.

Senior Companions work 1 on 1 with the very frail elderly.

For the individual receiving assistance, a senior companion often is the difference between living at home or in a nursing home.

Mr. Chairman, with the DRG's putting our people out of hospitals, our older people, particularly, putting them out sicker and quicker—we know that to be the case in our districts—these programs are even more impor-

tant to us now, that we have some services for those elderly people so they can stay in their homes. These programs do just that. As a matter of fact, Mr. Chairman, we have had hospital administrators testify that with the DRG's that these programs are even more important now.

Mr. Chairman, Foster Grandparents and Senior Companions are designed for low-income older people who are willing to work 20 hours a week and 50 weeks a year to establish a trusting relationship with the people they serve.

Because of the special needs of those they serve, it takes a very special type of person to be a Foster Grandparent or Senior Companion.

An important element of these programs is the stipend which enables the low income to serve while at the same time encouraging dependability and consistency of those services.

The subcommittee received much favorable testimony on each of the older American volunteer programs, both through hearings and from sites visits.

As a result, no major changes are being proposed in the programs or the way they are administered.

Each program is authorized at current service levels based on the existing authorization with CBO inflation adjustments.

The knowledge that comes with age and experience is a valuable commodity.

RSVP, Foster Grandparents, and Senior Companions tap this resource for the benefit of us all.

I urge the adoption of this bill.

Mr. BARTLETT. Mr. Chairman, I yield 4 minutes to the gentleman from Iowa [Mr. TAUKE].

Mr. TAUKE. Mr. Chairman, I rise in support of the programs authorized by H.R. 4116, the Domestic Volunteer Service Act Amendments of 1986. In particular, the older American volunteer programs—RSVP, Foster Grandparents, and Senior Companions—authorized in title II of this act allow older Americans to continue to contribute their energy and talents to valuable community projects. The small Federal investment we make in these programs is returned in the thousands of volunteer hours contributed by generous senior citizens.

The Foster Grandparent and Senior Companion Programs serve another purpose as well. Designed for low-income elderly, these programs enable older Americans with limited incomes to contribute to their communities. The commitment of all of the older American volunteers is to be applauded.

Examples of older American volunteer programs operating in my own district in Iowa exemplify the volunteer spirit promoted by this act.

Nearly 1,500 volunteers in retired senior volunteer programs operating in Dubuque, Clinton, and Cedar Rapids, IA, are providing numerous services to their local communities. Their activities include peer counseling for mental health and cancer patients in Dubuque hospitals, office work at the Dubuque Law Enforcement Center, and running the Dubuque Arboretum. RSVP volunteers in Clinton are involved in distributing Government commodities and helping in local schools. And in Cedar Rapids, volunteers are involved in crisis intervention, youth service, long-term care and many other valuable community projects.

Dubuque, IA, also enjoys the volunteer services of over 40 Foster Grandparents, who are active in local schools and at a Head Start Center. These seniors are also working with troubled youth, physically handicapped and mentally retarded children. Their contributions are invaluable to the community.

Unfortunately, I find myself in a difficult position when considering H.R. 4116. While I fully support reauthorization of these programs, I must temper my enthusiasm for this legislation because of the unrealistic authorization levels established by this bill. The fiscal year 1987 authorizations in H.R. 4116 are \$34 million above the \$145 million that is currently available for the domestic volunteer programs. These levels reflect a 23-percent increase over the fiscal year 1986 sequestered appropriations.

Moreover, this body has passed a budget resolution which freezes these programs at the fiscal year 1986 sequestered level for 3 years. Passing this legislation without reducing the authorization level would contradict the action taken a few short weeks ago on the budget resolution. At the appropriate time I will offer an amendment to lower the authorization levels in this bill to a more responsible and realistic level—a level that recognizes the need for restraint but does not jeopardize the continuation of these valuable programs.

Mr. WILLIAMS. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY of Illinois. I thank my distinguished friend, the gentleman from Montana, for yielding.

Mr. Chairman, I rise in support of H.R. 4116.

Mr. Chairman, I happened to have been around here back in the 1960's, when the VISTA program encompassed the Peace Corps, the Older Americans Act, and many of the other programs, and I have watched these programs develop for good over the years, although I was absent from this body for a period of 10 years and VISTA broke off from the initial pro-

gram. It has been a good program. It is a little bit ironic and disconcerting to see some of our friends on the other side of the aisle talk about a little bit of an increase in VISTA is going to be bad, when this is an all-American program. I am wondering how they will feel in the next week or two when we bring up the aid to the Contras in Nicaragua in which the President is requesting about a 400-percent increase from \$27 million humanitarian aid up to \$100 million. We seem to be able to afford that. But when it comes to something for the people in this country, the older Americans, the people who are at the lower rung of the economic ladder, we seem to quibble over a few million dollars.

So I would hope that we would reorder our priorities just a little bit and think in terms of helping those people in this country who live in the greatest Nation on the face of the Earth and who expect a little hand of fellowship and friendship from their fellow human beings.

So I rise in support of both title I and title II as reported by the committee. I commend my distinguished friend, the gentleman from Montana [Mr. WILLIAMS], and the other members of the Committee on Education and Labor for having the foresight to bring out a little bit of an increase in help for these volunteers who are doing so much for their fellow man. Thank you.

Mr. BARTLETT. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. MILLER].

Mr. MILLER of Ohio. I thank the gentleman for yielding time to me.

Mr. Chairman, as we consider funding levels for the older Americans volunteer programs, I would especially like to point out the fine work that is being done by volunteers in the Senior Companion Program. The Senior Companion Program offers low-income people over the age of 60 an opportunity to provide assistance to homebound elderly citizens who, without such help, probably would have to be institutionalized. There are glowing reports of senior volunteers who have assisted visual- and hearing-impaired individuals to learn to perform the necessary skills to continue living in their own homes—of senior companions who have provided respite care for elderly people who otherwise would have had to go to nursing homes—of senior companions who have started their assignments with patients while they were still in the hospital to be prepared to give appropriate follow up care when the patients go home—of senior volunteers who by their continuing concern have been instrumental in turning around the lives of depressed and drug dependent elderly people so that some of these people are now able to serve

others as volunteers in their communities.

The impact of the Senior Companion Program on the volunteers themselves is equally beneficial. Volunteers work 20 hours each week and receive small financial payments, accident and personal liability insurance, on-the-job meals, transportation to their assignments, and annual physical examinations which for many may be the only time they see a doctor other than in emergencies. Receiving the payments and other benefits in the Senior Companion Program raises the self-image of the volunteers who see themselves as members of the community who are able to contribute something meaningful to people who are less fortunate.

With the necessary cost constraints in the Medicare and Medicaid Program and with the lack of nursing home beds in some areas, we must develop more options in providing long-term care. The terrible side effects of loneliness among our increasing elderly population is all too evident. I believe that the Senior Companion Program is a good way to provide adequate care for many of our elderly citizens in their own homes while enhancing the lives of older volunteers.

□ 1325

Mr. WILLIAMS. Mr. Chairman, I yield myself such times as I may consume.

Mr. Chairman, I would like to make the point to my colleagues, and I make this point not only as chairman of the subcommittee which developed this legislation, but also as a member of the House Budget Committee. I want to assure my colleagues that this bill is within the budget, period.

This bill is a freeze, period. It does not violate the budget. This bill is a freeze.

Mr. BARTLETT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, during debate on the amendments, during the 5-minute rule, we will debate this very issue on the House floor. The budget that the House passed is exceedingly clear and very precise in listing what the budget for this program would be, and that is \$145 million. It does provide for, under function 500, for an extra \$1.5 billion for programs that are listed of which action is not listed. Even that \$1.5 billion is for increases for current services. The 23-percent increase that is contemplated by this legislation far exceeds the increase for current services, but I do respect the gentleman and I do know that we will have ample opportunity for the House to examine that issue of the budget on the House floor when the amendments are considered.

Mr. Chairman, I yield 5 minutes to the gentleman from Vermont [Mr. JEFFORDS].

Mr. JEFFORDS. I thank the gentleman for yielding me this time.

Mr. Chairman, with certain reservations, I rise in support of H.R. 4116, the Domestic Volunteer Service Act Amendments of 1986. This measure provides for a 3-year reauthorization of the national volunteer programs authorized under the terms of the Domestic Volunteer Service Act of 1973 and administered by the Action Agency.

Extended through fiscal year 1989 is the Volunteers in Service to America Program—more popularly known as VISTA. Since its inception 20 years ago, VISTA program volunteers have made lasting contributions in assisting low-income individuals and families in achieving self-sufficiency. VISTA volunteers have been extremely successful in attracting long-term community and private sector support for replicable programs and activities designed to meet very basic human needs. Issues of hunger, homelessness, lack of basic education and skills, unemployment, and substance abuse have been high on the VISTA program agenda. H.R. 4116 establishes within VISTA a new VISTA Literacy Corps to supplement and complement public and private sector efforts to address the unacceptably high incidence of illiteracy which continues to deny millions of Americans the opportunity to participate fully in and contribute to the mainstream of American society. Working in partnership with agencies and organizations at the local, State, and Federal levels, VISTA Literacy Corps volunteers would be enlisted for projects serving individuals in greatest need of such assistance and who reside in areas with the highest concentrations of poverty. The legislation before us today also extends through fiscal year 1989 an important and proven trio of Older American Volunteer Programs, including Foster Grandparents, Senior Companions, and Retired Senior Volunteers Programs.

The Foster Grandparents Program is an exceptional one—bringing the talents, experience, and patience of low-income, senior citizens to meeting the very special needs of children with serious physical, emotional, and mental handicapping conditions. Foster Grandparents is a genuine success story in which there are only winners. The senior volunteers receive a very modest stipend for their services. The largest returns are perhaps intangible ones—the awareness and self-satisfaction that come with knowing you are recognized and needed in the community because you make an important difference in the lives of children with special and exceptional needs.

Turning to the Senior Companions Program, we find an equally dedicated corps of senior citizens working with the frail elderly in providing services



and companionship that can spell the difference between institutionalization and remaining in one's own home.

Finally, the Retired Senior Volunteer Program [RSVP] enables nonstipended senior citizens to offer their services in a variety of community settings. RSVP projects place special emphasis on programs for youth, literacy, in-home care, control of substance abuse, and management assistance to public and private nonprofit community-based organizations.

My State of Vermont proudly lays claim to a strong, grassroots commitment to volunteerism. We in Vermont are especially proud of the Action Volunteer programs operating throughout the State—which are in integral part of that longstanding tradition of voluntarism.

Since the 1960's when the first group of VISTA volunteers were assigned to Vermont's Community Action Agencies, VISTA has proven to be an effective vehicle through which local residents have been able to apply their skills and energies to combat causes of and human suffering associated with poverty. The results of these efforts are still visible today in the ongoing Head Start programs, Community Development Corporations, and nutrition programs serving young and old alike.

VISTA sponsorships and assignments have kept pace with the changing dynamic of poverty in the 1980's. Volunteers have made—and continue to make—significant contributions in the vital areas of veterans employment, shelter, crisis intervention, youth services, and assistance to the elderly. Presently, 120 Foster Grandparents are serving exceptional and special needs youngsters in northwestern and central Vermont. The Tri-County Foster Grandparent Project, sponsored by the Champlain Valley Community Services, Inc., is under way in Chittendon, Franklin, and Grand Isle Counties in the northwestern part of our State. These volunteers are found in our schools working—1 on 1—with children with learning disabilities. Some are assigned to meet the unique needs of refugee and migrant children. Others are found in our local hospitals working in both pediatric and intensive care units. Tri-County Foster Grandparents can also be found in day care centers working with abused children as well as children at risk.

Under the auspices of the Vermont Department of Public Health, the Green Mountain Foster Grandparents Program is located in Rutland and Addison Counties—serving central Vermont. Here, foster grandparents are at work in the Brandon Training School serving mentally retarded and multiple-handicapped youngsters. Some volunteers are assigned to the Rutland public elementary schools devoting

their energies to working with hyperactive, emotionally disabled, and underachieving students. And foster grandparents are at the Children's Center working on an individual basis with children at risk from alcohol, mentally impaired, abused, or delinquent mothers.

Our Senior Companion Program, sponsored by Vermont's State Office on Aging, enables senior companion volunteers to provide much-needed services to our elderly in nine Vermont counties.

We are fortunate to have a vigorous Retired Senior Volunteer Program as well. RSVP volunteers number over 2,700 and serve in a variety of capacities in 700 agencies. Last year, RSVP volunteers logged in close to 400,000 hours of community service. Our RSVP service network continues to grow. Last year, thanks to the joint efforts of the Caledonia Home Health Care Agency, Inc., and the Orleans Northern Essex Home Health Agency, RSVP volunteer opportunities and services have been extended to Essex, Orleans, and Caledonia Counties in the northeastern part of our State.

Mr. Chairman, I strongly support the philosophy underlying the ACTION volunteer programs. What is more, I am keenly aware of the very tangible role that these social service activities play in my State—a role that is played in communities across the country. I believe that we must reauthorize the Domestic Volunteer Service Act—which is the centerpiece of the legislation we are considering today.

At the outset of my remarks, Mr. Chairman, I indicated that I have some reservations regarding certain provisions incorporated in this reauthorization measure. Let me briefly address my concerns. I believe we can continue to provide adequate resources for the continuation of volunteer opportunities and quality community services afforded through all of the Domestic Volunteer Act Programs, if we establish authorization levels which are more in line with current funding levels. I believe that the authorization levels contained in the committee bill are higher than what we can realistically and honestly anticipate will be appropriated.

In doing so, we may be inviting local program sponsors to plan for the future on the basis of authorization levels which may be far in excess of the Federal dollars they will actually receive.

Moreover, given the very real fiscal constraints within which we are operating—constraints which necessitate some very difficult and unpopular decisions—I do not believe that now is the time to increase the VISTA Program service year floor. I will, therefore, support the amendments which my colleagues from Texas [Mr. BART-

LETT] and the gentleman from Iowa [Mr. TAUKE] plan to offer. I urge my colleagues to join me in voting for these amendments. In doing so, I firmly believe that we can demonstrate our continued commitment to the needs which the Domestic Volunteer Service Act Programs are designed to meet.

Mr. CONYERS. Mr. Chairman, I rise in support of H.R. 4116, the Domestic Volunteer Act amendments, which extends the authorization for the national volunteer antipoverty programs and the national older Americans volunteer programs.

The residents of my congressional district in Detroit, MI, have derived great benefit from these efforts. The Foster Grandparent Program, one of three which utilizes senior citizens as volunteers, has a record of service which I am particularly proud of. Ms. Rita Katzman very ably administers this program in my community. She presently serves as president of the National Association of Foster Grandparent Program Directors.

There have been spectacular and exciting changes in the Foster Grandparent Program since its beginning 20 years ago. There are now 249 programs in operation nationwide utilizing the talents and skills of 19,000 foster grandparents. The program serves children with a wide range of physical, mental, emotional, or social disabilities. Its success has served to demonstrate the true versatility of senior volunteers and their ability to work with youngsters in a variety of settings.

In Detroit, 278 foster grandparents are placed in over 35 volunteer agencies, including hospitals, schools for the blind, deaf, and learning disabled, and abused children centers. They are a source of inspiration to thousands of disabled youth.

The cost to the Federal Government of such a program is marginal when you consider its benefits. The senior volunteers receive only a nominal stipend for their support as well as funds to cover transportation.

I believe that voluntarism is something to be encouraged in our society, especially when those persons helped are among the disadvantaged. I urge all of my colleagues in the House to vote in favor of H.R. 4116 so that the Federal Government can continue to have a leading role in this area.

Mr. LELAND. Mr. Chairman, I am happy today to have an opportunity to speak on behalf of one of Government's most worthy and constructive programs, VISTA. Of the literally thousands of programs we in the Congress are called upon to fund, I can think of few others which better exemplify the characteristics of good government—to meet the needs of the people effectively, compassionately, and efficiently.

The VISTA Program is 21 years old this year. What better recognition of this important milestone could be made than the vote of confidence which would be reflected in the unamended passage of H.R. 4116.

VISTA was born during a brief, lustrous time when Government believed it could work in cooperation with the people in solving some of the more pressing social needs of this Nation. It exemplifies what was best about the

Great Society programs of the 1960's. The fact that VISTA has survived as long as it has is testimony not just that the social needs it seeks to correct still exist in abundance, but that VISTA is truly effective in meeting those needs.

In nearly every single one of our congressional districts, VISTA volunteers are making a difference. They are working in neighborhood restoration projects, literacy education programs, handicapped advocacy programs, health care projects for migrant workers, refugee resettlement efforts, weatherization and energy conservation projects, immunization programs for children and adults, senior citizen outreach programs, housing rehabilitation, shelters for runaway youth, child care programs, Native American programs, and employment and training programs for disadvantaged youth.

But perhaps most importantly, VISTA volunteers are out there in our districts helping the poverty stricken, the hungry, and the homeless. In an era when the national conscience is unavoidably focused on the tragic reality that millions of our fellow Americans are going hungry each and every day, VISTA is gallantly fighting back. And in the lives of thousands upon thousands of men, women, and children, VISTA is winning.

As the chair of the Select Committee on Hunger, I look upon the VISTA Program with a great deal of admiration. And I particularly admire the VISTA volunteers themselves. I consider them to be personal ambassadors from government and society—ambassadors not of diplomacy, but of compassion.

As I said earlier, these ambassadors have been deployed to nearly every single one of our districts. I'd like to tell you about the work of some of those who have come to mind. At the Houston-Galveston Food Bank, five VISTA volunteers, at a cost to the Government of under \$40,000 a year, have been instrumental in increasing the number of agencies served by 300 percent—from 70 to 210. They have boosted food collections from 10,000 pounds per month to 350,000 pounds per month. And they have expanded food distribution from 20,000 pounds per month to 300,000 pounds per month. These are the kind of results VISTA and its volunteers are getting throughout the Nation. Today we have an opportunity to expand those results, and at a remarkably reasonable cost.

H.R. 4116 calls for a modest increase over VISTA's current \$18.1 million appropriation. It does so by maintaining for fiscal year 1987 VISTA's current \$25 million authorization, and by increasing what is called the service-year funding floor level. This level guarantees a minimum number of volunteer service-years, which is the best measure of where VISTA's appropriations go. This bill would provide for 2,600 volunteer service-years in fiscal year 1987, 2,730 in fiscal year 1988, and 2,865 in fiscal year 1989. This is an increase in the number of VISTA's in the field of about 130 a year. If only the numbers of the hungry and the homeless were increasing at such a low rate.

It saddens me to know, however, that there are those in this body who find these modest increases to be extravagant. I think it's ironic that in this military-minded administration, a

war on poverty isn't a war worth fighting. To these people, I say let's look at these 2,600 VISTA volunteers as our army at the front lines fighting the war on poverty. It's a dedicated and well-trained army, but not one that receives a great deal of encouragement from it's Government, and not one big enough to do more than hold the line against its persistent and relentless enemy.

I'd also like to remind those individuals that the authorization level contained in this bill is equivalent to VISTA's appropriation level in 1967. Prior to this administration and its de-emphasis on social programs, VISTA's appropriations were around \$34 million. Today they are barely half that. It's not only the hungry who are going hungry, it's the people and the programs who have vowed to feed them.

But despite its shrinkage over the past 5 years, VISTA continues to prove its worthiness every single day. It perseveres through the dedication and resourcefulness of its volunteers.

A recent survey conducted by friends of VISTA of all VISTA hunger projects provided further evidence of the accomplishments of each VISTA that are so critical to the effectiveness and importance of VISTA volunteers to local antihunger efforts. Eighty-six percent of projects responding stated that they could not maintain their present level of activity without their VISTA volunteers. Eighty-eight percent said that they could not expand their level of activity without VISTA. Eighty-eight percent could not replace their VISTA's with nonstipended volunteers. And nearly two-thirds of the VISTA sponsoring hunger organizations found VISTA critical to their success.

The problems of poverty, hunger, and homelessness in America can no longer be glossed over. The Nation wants and needs to commit itself to eradicating these social ills. VISTA is proof of that commitment. It is a program we must support and encourage. This is VISTA's 21st year of service to America. It has entered its adulthood with a record of tremendous accomplishment on little encouragement. It's been cut back to its bare bones by this administration. But we all know that bare bones will not feed the hungry. In the face of today's poverty crisis, we must begin putting meat back on those bones. We must begin fueling our commitment to the needy of this land. We must begin encouraging the lofty and humane principles of voluntarism, self-help, and individuals making a difference that are exemplified by the VISTA Program. And we can make that beginning by supporting an unamended H.R. 4116. Thank you.

Mr. GILMAN. Mr. Chairman, I rise in strong support of H.R. 4116, reauthorizing the Domestic Volunteer Service Act of 1973 for fiscal years 1987 through 1989. We are able to consider this legislation today and to reflect upon the countless ways ACTION and its affiliated programs have enriched American life, due to the tireless efforts of the gentleman from Montana, Mr. WILLIAMS, and the distinguished chairman of the Education and Labor Committee, Mr. HAWKINS.

The Domestic Volunteer Service Act of 1973 established ACTION as a Federal agency to administer domestic volunteer programs designed to eliminate human, social, and environmental problems associated with

poverty. H.R. 4116 reauthorizes the three programs under title I of the act—Volunteers in Service to America [VISTA], service learning programs, and special volunteer programs. This measure also reauthorizes funding for the three older American volunteer programs, the Foster Grandparents Program, the Senior Companion Program, and the Retired Senior Volunteer Program [RSVP], all of which have enjoyed tremendous success in many of our congressional districts. I am pleased that the committee has recognized the exemplary work being executed through all of these programs and that they have recommended modest funding increases over current spending levels.

Since its inception in 1973, VISTA volunteers have touched and I dare say, changed the lives, of millions of Americans. VISTA is the only domestic Federal program providing stipends to full-time volunteers to assist low-income Americans to increase their self-reliance. Indeed, the committee report shows that a significant number of literacy and hunger-related projects could not maintain their levels of service without VISTA. VISTA projects currently utilizing VISTA services include: agricultural cooperatives, neighborhood revitalization, senior citizen employment, and programs on independent living for the handicapped.

Another program authorized under H.R. 4116, the service learning programs, offers secondary and postsecondary students an opportunity to work as volunteers in a variety of projects designed to meet the needs of a community's indigent. The students receive no stipend for their service, but the University Year for Action provides postsecondary students to volunteer full time in antipoverty projects for academic credit. The National Center for Service for Learning provides technical assistance to community agencies and organizations that wish to develop projects using student voluntarism.

Perhaps the most successful and popular of the VISTA programs, however, are those services and employment programs administered under the older Americans volunteer programs. First authorized under the 1960 Older Americans Act and administered by ACTION, the older American volunteer programs were designed to promote voluntarism among citizens age 60 years and over. I cannot emphasize enough, how universally popular and effective, these programs are among our older Americans. These programs enable senior citizens to get out and become productive in their communities. Low-income volunteers over age 60 are eligible to become foster grandparents and work under the sponsorship of nonprofit agencies and institutions such as schools, hospitals, and day care centers to help children with problems resulting from physical, mental, or emotional disabilities. Under the senior companions program, volunteers over age 60 provide assistance to homebound elderly citizens who, without such help, probably would be institutionalized. Volunteers under these programs work 20 hours per week and receive small financial stipends, annual physical examinations, accident and personal liability insurance, on-the-job meals, and transportation. Participants in RSVP pro-



vide services that cover a wide variety of community needs, including energy conservation, housing, health, nutrition, and education. Projects are sponsored by local private and public nonprofit organizations and agencies. Participation in RSVP is open to persons age 60 years and over, regardless of income, and volunteers are entitled to reimbursement for transportation, meals, and out-of-pocket expenses related to their work.

These programs did sustain cuts in accordance with the fiscal year 1986 sequestration order under Gramm-Rudman—cuts that have left the programs in which I represent in Rockland, Orange, Westchester, and Sullivan Counties in New York, at a loss to make up the difference. I am again pleased to note that those previous cuts have been taken into consideration by the committee, and that the modest increases assumed by this authorization, coupled with the fact that the bill is within the budget, should ensure that these vital programs will not suffer sudden further cuts.

Accordingly, I urge my fellow colleagues to support H.R. 4116 which provides for the continuation of these important programs, ensuring that human, social, and educational assistance is provided to the less fortunate.

Mr. ROYBAL. Mr. Chairman, I rise in strong support of H.R. 4116, which provides for a 3-year reauthorization of the ACTION Agency, VISTA (title I) and the older American volunteer programs (title II) including the Retired Senior Volunteer Program [RSVP], the Foster Grandparent Program, and the Senior Companion Program. I commend the hard work of my colleagues, Mr. KILDEE of Michigan, Mr. WILLIAMS of Montana, and Mr. HAWKINS of California, for their work in bringing this important legislation to the floor.

The older American volunteer programs take advantage of the knowledge that comes with age and experience by providing opportunities for older individuals to contribute to their communities in a meaningful way. Through a wide range of activities, senior volunteers provided important assistance in schools, hospitals, homes, and various community facilities to those individuals with physical, mental or social needs.

H.R. 4116 seeks no major legislative changes in the older American volunteer programs. It simply reaffirms the proven success and efficacy of these programs by authorizing each program at current service levels based on inflation adjustments prepared by the Congressional Budget Office. The authorization thus ensures that current program levels are not eroded by inflation.

Based on the growth of the numbers of volunteers, and the superb quality of their services, the older American volunteer programs have proven to be both cost-effective and invaluable to communities. The unique coordination between volunteers, and the combined partnership of the public and private sectors, have helped to sustain high standards of excellence among the ACTION programs. Last year, over 388,000 volunteers contributed more than \$350 million worth of services to low-income disadvantaged groups including troubled youth, single-parent families and older Americans.

Yet, the great value of these programs extends well beyond what can be measured in

strict dollar terms. In 1985 alone, tens of thousands of "retired" Americans serving in nearly 1,100 projects nationwide made substantial contributions to their communities by distributing food to the poor and providing supportive health, nutrition, transportation, and crime prevention assistance.

RSVP volunteers—age 60 and over—serve in virtually every community institution where assistance is needed. Projects cover a wide range of needs including food distribution programs, housing, health nutrition, tutoring programs and youth services. In 1986, the RSVP will provide over 750 projects with an estimated 365,000 volunteers.

Foster grandparents serve handicapped children one on one in hospitals, schools, and in group homes. It is estimated that nearly 250 projects will utilize 18,000 such volunteers in providing vital support to children with physical, social, and emotional needs.

Senior companion volunteers help to link homebound older Americans with supportive services. Over 5,300 senior companions help these individuals to remain independent in their communities, thus preventing costly and unnecessary institutionalization.

Mr. Chairman, at a time when persons aged 65 and over represent the fastest growing segment of our population, we cannot afford to discourage our senior citizens from participating in the older American volunteer programs by cutting back on the number of available positions. This program has proven its cost-effectiveness in community after community throughout the country. It should be reauthorized at a funding level sufficient to ensure that current services are maintained. I urge my colleagues to support H.R. 4116.

Mr. HAWKINS. Mr. Chairman, I rise in support of H.R. 4116. This bill to reauthorize the Domestic Volunteer Service Act will continue the authority for the Volunteers in Service to America Program, the Foster Grandparents Program, the Retired Senior Volunteers Program, the Senior Companion Program and other Federal and local efforts supporting over 400,000 volunteers, nationwide.

These volunteers, whether operating in the rural South or inner-city neighborhoods, are contributing to a substantial improvement in the lives of the unemployed and the homeless; they are working to stamp out illiteracy and hunger; and they are bringing hope to single parents and troubled youth. Additionally, their efforts recruit, train, and coordinate thousands of other local volunteers, multiplying the positive effect of this program manifold.

I support these programs. In my district in south central Los Angeles, full-time, community oriented VISTA volunteers, often disadvantaged individuals committed to helping themselves and their neighbors, are supporting programs in delinquency prevention; they are serving the needs of senior citizens; they are supplementing the diets of underprivileged citizens through educational efforts and the operation of a food bank; and they are coordinating a program for the training and rehabilitation of youth offenders.

The Committee bill will continue these and other critical programs throughout the United States. It will also protect against further deterioration in these efforts.

In the past 5 years, the number of volunteers supported by the VISTA program has declined from 5,000 to about 2,400. This is a decrease in over 50 percent. The program is currently only funded at its fiscal year 1967 level.

The bill also includes an initiative to address the issue of illiteracy, an affliction that limits the opportunities for millions of our citizens. The work of this new initiative will augment and reinforce the ongoing efforts in this area already funded under VISTA.

An amendment may be offered to further restrict this program. At a time when 60 percent of the VISTA projects in our States and localities cannot fill their authorized and approved volunteer positions, solely due to a lack of Federal support, any attempt to freeze these activities at their already depleted levels is unconscionable.

Furthermore, at a time when the administration's domestic policies and rhetoric are steadily increasing the burden on local volunteer organizations, I urge all of my colleagues to resist any proposed amendment to the service levels.

H.R. 4116 also provides support for the Older Americans Volunteer Programs for three additional years. Included under the Older American Volunteer Programs authorizations are: the Retired Senior Volunteer Program [RSVP], the Foster Grandparent Program, and the Senior Companion Program.

Over the years, the Older Americans Volunteer Programs have demonstrated their effectiveness and benefits not only for the senior citizens who participate in the program, but also for the communities in which such programs operate. These programs utilize the knowledge that comes with age and experience by providing opportunities for older individuals to continue to contribute to their communities in a meaningful way. Through a wide range of activities, senior volunteers provide important assistance in schools, hospitals, homes, and various community facilities to those with physical, mental, or social needs.

The bill seeks no major legislative changes in the Older American Volunteer Programs. These worthwhile programs benefit not only the thousands of individuals who are active, contributing members of their communities, but also those individuals who reap the benefits from the experience and dedication of these volunteers.

An amendment may be offered to cut the authorization levels contained in H.R. 4116 for these very effective programs. Since the recommended figures only follow the Congressional Budget Office figures to offset inflation, this amendment has the effect of cutting the current service levels for these Older American Volunteer Programs. This means cutting the Foster Grandparent, the Retired Senior Volunteer, and the Senior Companion Programs, programs which have repeatedly proven their worth and which are so important to our senior citizens.

I urge my colleagues to oppose all such harmful amendments. I believe that now is the time for us to give our renewed support to all of the domestic volunteer programs, and I urge my colleagues to vote for the passage of H.R. 4116.

Mr. BARTLETT. Mr. Chairman, I have no additional requests for time, and I yield back the balance of my time.

Mr. WILLIAMS. Mr. Chairman, I have no requests for time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. GRAY of Illinois] having assumed the chair, Mr. MONTGOMERY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4116) to extend the Volunteers in Service to America [VISTA] Program under the Domestic Volunteer Service Act of 1973, had come to no resolution thereon.

#### GENERAL LEAVE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4116, the bill just debated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

#### REQUEST FOR PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT ON TOMORROW DURING THE 5-MINUTE RULE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to meet during proceedings under the 5-minute rule tomorrow, June 11.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

Mr. JEFFORDS. Mr. Speaker, reserving the right to object, I would ask the gentleman from Montana if he would explain with respect to the committee meeting tomorrow, what bills would be considered at that meeting and as to whether or not he anticipates that it would run into any action with respect to the bill upon which we just completed general debate.

Mr. WILLIAMS. If the gentleman will yield, it is possible that the committee will be meeting on H.R. 1309, high risk occupational disease; H.R. 4463, Effective Schools and Even Start Act; Mr. GOODLING's bill; and H.R. 4418, the voc-ed technical amendments, in markup.

Mr. JEFFORDS. Mr. Speaker, further reserving the right to object, is it anticipated that we will be in conflict with the bill on which we just finished debate?

Mr. WILLIAMS. There is that possibility.

Mr. JEFFORDS. Mr. Speaker, further reserving the right to object, I

would reserve the right, just to put the gentleman on alert, perhaps to object to the committee sitting within the committee at that time, but I will not at this time. I will work that out with the chairman.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield?

Mr. JEFFORDS. I yield to the gentleman from Texas.

Mr. BARTLETT. I thank the gentleman for yielding.

Mr. Speaker, I do think the committee does need to consider these bills, but I would want further considered that there are many members of the committee that will be involved in the 5-minute rule of H.R. 1 who are also members of the Education and Labor Committee in a markup at the same time, as a 5-minute rule on the House floor is exceedingly difficult for Members to accommodate.

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So if there is some other way to have the markup, I think it would provide for better decisionmaking.

Mr. JEFFORDS. I would be happy to discuss that with the chairman, and certainly the gentleman has the right to object. I do not intend to object at this time. However, I will take up the concerns of the gentleman with the chairman of the committee, and perhaps the gentleman would like to reserve his own right to object or to object, and that certainly is within his right.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

Mr. TAUKE. Mr. Speaker, reserving the right to object, if I could have the attention of the ranking member, he indicated that he does not plan to object now but might reserve the right later. The problem is that if we do not object now, they can sit under the 5-minute rule whether we object or not. I have some of the concerns that have been expressed by the two gentlemen who have spoken previously.

Do we have any reason to believe that something is going to be worked out?

Mr. JEFFORDS. Mr. Speaker, I do not have any assurances in that regard. What I said was that I would expect that the wishes of myself with respect to having a conflict of Education and Labor Committee bills being on the House floor and in committee at the same time would be respected by the chairman, but I did not intend to use this time to object to the sitting of the committee.

If the gentleman from Iowa [Mr. TAUKE] or the gentleman from Texas [Mr. BARTLETT] feels strongly, of course, they have the perfect right to object, and I certainly would urge them, if they feel that it is going to be

something which would be inconsistent with their personal ability to serve their constituents interests, that they might do that.

Mr. BARTLETT. Mr. Speaker, would the gentleman yield?

Mr. TAUKE. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Texas.

Mr. BARTLETT. I thank the gentleman for yielding.

Mr. Speaker, I suppose my question for the gentleman from Vermont [Mr. JEFFORDS], before he leaves, is: Was this cleared with the minority before the request was made, or was this something that we knew about?

Mr. JEFFORDS. Mr. Speaker, will the gentleman yield?

Mr. TAUKE. I yield to the gentleman from Vermont.

Mr. JEFFORDS. Mr. Speaker, I first learned of this some few minutes ago, but of course I just returned, so when it became apparent or my office or my staff was made aware of it, I am not aware. I do know that this full committee markup has been scheduled for some time tomorrow, and I would expect that perhaps the normal sitting of the House was moved up—I think it supposedly was to be at 3 o'clock—so that probably provided the conflict and is why we are here today.

In a sense the committee's meeting has been on schedule for some length of time, and it was shifted from Tuesday to Wednesday to accommodate Members. I would guess that the sitting time of the House was changed, and that is what has led to this conference. So I do not in any way feel abused by the chairman of the committee or the committee in this respect, but the gentlemen certainly have the perfect right to be able to take the position that they think is appropriate under the circumstances for themselves.

Mr. BARTLETT. Mr. Speaker, will the gentleman yield further?

Mr. TAUKE. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Texas.

Mr. BARTLETT. I thank the gentleman for yielding.

Mr. Speaker, I suppose my question is: Is there anything about those three pieces of legislation that requires the committee's action tomorrow, or can they be disposed of in a more orderly process under the House rules?

Mr. TAUKE. Mr. Speaker, I might observe to the gentleman that it appears to me as if, if everything is working out fine tomorrow, we can go to committee and nobody is going to object, but if we do not object here, then there will be no opportunity for us tomorrow to make certain that the schedule is handled in such a way as to accommodate us. So I am not sure that it is necessary to prolong the dis-



cussion because, Mr. Speaker, I do object.

The SPEAKER pro tempore. One objection is heard.

If the Chair might have the attention of the gentleman from Montana [Mr. WILLIAMS], under the Speaker's guidelines pursuant to clause 2(i), rule XI, would the gentleman withdraw his request?

Mr. WILLIAMS. Yes, Mr. Speaker, I withdraw my request.

The SPEAKER pro tempore. The request is withdrawn.

#### PERMISSION FOR COMMITTEE ON THE JUDICIARY TO SIT ON TOMORROW DURING 5-MINUTE RULE

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be permitted to sit tomorrow, Wednesday, June 11, 1986, while the House is reading for amendment under the 5-minute rule.

Mr. Speaker, if I might further explain, this has been cleared with the minority and is for the purpose of marking up the immigration bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### LEGISLATION ESTABLISHING NATIONAL CEMETERY IN NORTHEASTERN OHIO

(Mr. ECKART of Ohio asked and was given permission to address the House for 1 minute.)

Mr. ECKART of Ohio. Mr. Speaker, I rise today to applaud the activities of the House earlier, and the chairman of the Committee on Veterans' Affairs, the gentleman from Mississippi [Mr. MONTGOMERY], and my colleague, the gentleman from Ohio [Mr. McEWEN], for consideration and speedy passage of legislation which would provide for the creation of a new national cemetery for veterans in northeastern Ohio.

Recent statistics are indeed overwhelming. Almost 550,000 veterans live within a 50-mile radius of Cleveland, with over 800,000 living within 100 miles of the city. By the year 2000, the Cleveland area will achieve the dubious distinction of having the largest need for the creation of a new national cemetery.

Mr. Speaker, respecting, honoring, and caring for America's veterans does not begin and end only on Memorial Day or other important national holidays. These veterans have given their all in defense of liberty, and the creation of a national cemetery in northeastern Ohio is of critical importance to those veterans who have indeed already shared their great sacrifices on behalf of freedom.

We need to begin to plan now, and the McEwen bill approved by the House today with the support of Chairman MONTGOMERY, and indeed, the balance of the Members, starts us out on that important road to continuing to demonstrate the respect essential and necessary for the preservation of freedom and for the honoring and caring for this Nation's veterans.

Mr. Speaker, I am thankful for the support of Congressman McEWEN and the consideration of Chairman MONTGOMERY, and I urge the other body to complete quick and expeditious consideration of the legislation providing for the creation of this cemetery to honor our veterans in northeastern Ohio.

Mr. Speaker, I yield back the balance of my time.

#### TIME FOR CONGRESS TO REPEAL 1930's DEPRESSION-ERA DAVIS-BACON ACT

(Mr. RUDD asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RUDD. Mr. Speaker, despite \$200 billion budget deficits for the foreseeable future, and a vastly different labor market, the 1931 Davis-Bacon Act still is in force, costing taxpayers more than \$1 billion a year. By imposing union wage rates on all Federal projects, the act has stifled competitive bidding and placed barriers on the hiring of entry-level positions on the projects.

It is time for Congress to repeal this 1930's Depression-era law, which continues to add fat to our budget and disincentives for badly needed construction projects in our Nation.

I urge my colleagues to follow the wisdom of the Arizona Republic's editorial of June 9, 1986, "It's Time To Trim the Fat."

[From the Arizona Republic, June 9, 1986]

#### IT'S TIME TO TRIM THE FAT

During the depths of the Depression, Congress passed the Davis-Bacon Act to place a floor under steadily falling wage rates. More than 50 years later, the law still is in force, and it's the height of economic absurdity.

What may have made sense in 1931, to protect job-seekers from exploitation by unscrupulous employers, makes little sense today.

In fact, Davis-Bacon today does just the opposite. By requiring contractors on federal projects costing more than \$2,000 to pay "prevailing wages," the act restricts competitive bidding and impedes the hiring of entry-level youth, minorities and women.

Although "prevailing wages" could mean rates contractors usually would pay to obtain high-quality labor, agencies—under court mandated guidelines—have equated the term as synonymous with union pay scales. Labor costs are raised further because the act arbitrarily restricts the number of workers on a federal project that might be paid less in apprentice or helper positions.

Davis-Bacon boosts the cost of federal jobs even more by discouraging competitive bidding by contractors working on private or non-federal projects, who could find it necessary to match those wages with federal levels.

The Congressional Budget Office recently estimated that Davis-Bacon rules are costing American taxpayers almost \$1 billion a year. At the same time, badly needed construction or repairs of highways, bridges, water resources, hospitals and other government facilities are restricted by a tight federal budget.

The Reagan administration is supporting congressional efforts to at least exempt smaller federal contracts—less than \$1 million—and to add a classification of "helpers" to allow more entry-level positions.

At a time of \$200 billion budget deficits, Davis-Bacon reform is not a labor-management issue, it's a budget issue that provides the means to trim wasteful fat.

#### HUMAN RIGHTS ABUSE IN SOVIET UNION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. COURTER] is recognized for 60 minutes.

Mr. COURTER. Mr. Speaker, the purpose of this special order is to talk about an issue that is extremely important—often we forget it, particularly as we live in this country—and that is the issue of human rights and how human rights are abused, in the Soviet Union in particular.

The gentleman from New Jersey, Mr. DEAN GALLO, and I jointly are taking out this special order to spend just a few minutes in reviewing the trip that we took to Moscow, the Soviet Union, just a few weeks ago.

It was on a Thursday night, May 22, when we left from the airport in New York City, Kennedy Airport. We had a small group: Congressman GALLO, myself, and my wife, traveling with other couples that are activists in the human rights and Jewish communities in the State of New Jersey, Mr. and Mrs. Steve Sobel, and Mr. and Mrs. Sandy Hollander; and also Bob Cohen, who is a journalist from the New Jersey Star-Ledger, New Jersey's largest paper, went with us on that trip, so we were eight.

There was nothing that I had read about the Soviet Union, nothing that I had heard about the issue of the abuse of basic human rights, that prepared me—and I might say also prepared Congressman GALLO—for the trip that we were to embark on.

It was a short trip, as many of these things go. There was not a great deal of time to relax. We left knowing that within 6 days we would be back inside the United States.

□ 1345

We spent about 3½ to 4 days in Moscow and then left; but frankly, as far as this individual is concerned, those 4 days were not to corroborate

and confirm to me the gravity of the problem. The purpose of our visit was obviously to talk about the abuse of basic human rights inside the Soviet Union. We met and talked to probably 45 different families who had one of basically three classical problems that you find with great frequency inside the Soviet Union.

No. 1 was the issue of divided spouses and divided families. These are people who are living in Moscow who want to leave and join their wives or their families that are living outside the Soviet Union.

The second category is the spouses of prisoners of conscience. These probably are the most pitied, the most difficult, the most heart-wrenching stories, individuals who simply want to leave slavery and get to freedom, individuals who simply as they articulately explained to us want to lead honest lives. If they want to be Christians, they want to be able to worship. If they want to be Jews, they want to be able to read the Torah. They want to be able to learn Hebrew, and they are denied those basic rights.

When they make application to leave the Soviet Union and also become involved in their community affairs, that is, be associated with people who are similarly treated, they are prejudiced. They lose their jobs. Marijuana, hashish, cocaine, and heroin is planted on their person or in the apartments, a gun, a knife, they are arrested. They are exiled. They go to prison camps. They go into prison itself.

Now, the third group were classified as dissidents and refuseniks, individuals who were not yet incarcerated, who were not yet told to live in a different part of the Soviet Union away from their friends and their families, but individuals whose only crime was to make an application to leave the Soviet Union, a right which is guaranteed by the Soviet Government pursuant to its own constitution and pursuant to at least one, if not two, internationally recognized treaties; that is, the Soviet Union has said that they will honor the right of her citizens to live where they want to live; but like so many things inside the Iron Curtain, inside the Soviet Union, those rights articulated and written and codified in law are not the rights that are given, exercised, appreciated, or enjoyed. They are rights denied.

The names go on certainly and what I would like to do is mention some of the instances, some of these things so the words are not abstract, because the problems are not abstract.

When we landed in Moscow late on Friday, May 23, we made our way to the Metropol Hotel, a hotel that is fine by Moscow standards, but not obviously those of the United States, the Swiss, French, or Italian standards.

We were cautioned that when we got close to the hotel that we should not make phone calls from the hotel because most assuredly our telephones would be tapped.

We were told not to mention things that we did not want the KGB to know, that we did not want Soviet personnel and authorities to know while inside the privacy of our rooms, because our rooms were bugged.

We were told that as we were driving from the airport to the hotel, from the hotel to the U.S. Embassy, that the vehicles that we were driving in were monitored and therefore our conversations would be picked up.

So therefore, when we got to the hotel, we took a long walk around Red Square, found a couple public telephones away from the center of town, away from the hotel which was constantly monitored, and I called and made appointments with a couple families, whose names cannot be mentioned because they have not yet crossed that magic threshold of moving from silent application to public protest and public support.

Most families, however, most refuseniks, most spouses of divided families and prisoners of conscience, have crossed that threshold. They honestly feel, as I guess we do as well after having spoken to them, that there is safety in our recognizing them, that if there is anonymity, then the Soviet authorities can do unto them unimaginable and horrible things; so our involvement, our contact, our adopting families, our talking to them, our calling them up from the United States, our sending them letters, does help.

It cloaks them to a small degree with some mantle of protection.

After lining up our visits that night, our day started the following morning around 8 o'clock in the morning, when Congressman GALLO, who is sharing this time with me now, and I took the 1-mile trek to the only synagogue, the only place of worship for Jews inside Moscow. We went there in the morning and talked to some of the people who came there to pray. There were some very interesting conversations.

After the time we spent at the synagogue talking to people, and there are no hymnals, no books and no religious material, and it is an interesting situation. When talking to Soviet authorities, they say, "Our constitution is just like yours, Congressman BEN GILMAN," who is here with us today and who is a leader in the issue of human rights and is constantly on the floor of the House reminding the West, reminding democracies in Asia and throughout the world that basic human rights are constantly being denied human beings inside the Soviet Union.

I want to say to the gentleman from New York [Mr. GILMAN] that I thank him for coming and I yield to the gentleman at this point.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

I wish to commend both gentlemen from New Jersey, Mr. COURTER and Mr. GALLO, for undertaking this extremely important initiative.

I just wish that one day all the Members of this distinguished body would have the same opportunity that the gentleman from New Jersey had in meeting with some of the refuseniks and some of the prisoners of conscience, to have a firsthand opportunity to see the harassment and the burdens that they have in trying to seek freedom and trying to live under the same kind of an institution that we have, where we are able to worship freely and speak out freely.

Many of us had high hopes when the summit meeting was over that there would be a new change in the approach to human rights. We have yet to see that change come about, even though a few symbolic cases have been allowed to be released from the Soviet Union.

I dare say that efforts like those of the gentlemen from New Jersey, both gentlemen from New Jersey, Mr. COURTER and Mr. GALLO, in focusing attention on the need, and many of us here in the Congress speaking out loud and clear, will be helpful in eventually hopefully opening the doors for the free immigration of all those who are now denied that privilege.

I thank the gentleman for yielding and commend him again for his continuing efforts in this direction.

Mr. COURTER. Mr. Speaker, I thank the gentleman from New York. I cannot emphasize enough that he is one of the congressional leaders on this particular issue, never allowing the world's conscience, if there is such a thing and we hope and pray that there is, to forget what has happened to people and indeed what is happening to people as we sit in the comfort of the United States of America.

As I was saying before I yielded, the Soviet authorities will say that their Constitution—"Our Constitution is just like your Constitution. We guarantee the separation of church and state. You can understand that principle, Mr. GILMAN, Mr. GALLO, Mr. WALKER from Pennsylvania"—who is also a leader on this issue—"Mr. COURTER from the State of New Jersey."

But they practice it in a strange and different way. Because the state in the Soviet Union is indeed everything, because there is one institution, and that is the state, there are not other free institutions. There is one organization that disseminates information, and that is the state.

There are various newspapers, all of them getting their marching orders from the state and the Government; one printer in the Soviet Union, not



the individual, of course, who does the printing, but one state printer.

The classical definition carried to its logical conclusion of a separation of church and state means there is no religious literature because the state, separating itself from religion, must not print religious literature, and since it is illegal to have private institutions, private printers in the Soviet Union, religious organizations that print material therefore cannot, because there is an official state printer to print religious material. Therefore, there is no religious material inside the synagogue that Congressman GALLO and I went to.

I will yield to the Congressman in just a minute, if I could just mention a couple other things, if I may.

We talked to separated spouses. I think I will yield in a minute to the gentleman from New Jersey, Mr. DEAN GALLO, to talk about Mr. and Mrs. Michelson and their young son, Anatoly and Olga Michelson, the wife, and Mr. Anatoly Michelson who is living inside the United States. It is a very classic and sad case.

I want to talk about patterns, if I can. I suppose the one thing we have to keep in mind is that there is no great predictability in human rights violations in the Soviet Union, other than the fact that it is extremely predictable that they occur.

It is impossible to devine why some people are allowed to leave and others are not allowed to leave. It is impossible to figure out why some are arrested and sent into exile, while others are not. It is impossible to know for sure why contraband is placed in some apartments so the KGB can arrest them and put them in prison, whereas in other apartments it is not; so there is no great logic or consistency in these abuses, only the sheer logic that it occurs.

What happens, and I was not fully aware of this before I went and journeyed with Congressman GALLO to Moscow, what classically happens is the following, and there is some commonality in these pleas and in these stories. An individual will want to be able to live the way they want to live, will want to be able to be honest individuals, read the type of literature, religious literature they want to read, associate with the type of religious friends they want to associate with, practice their religion in the manner they want to practice, recognize that you cannot simply do it in the Soviet Union. You bump up against the invisible but obvious wall that cannot be penetrated of acceptable behavior. When you go beyond that wall of acceptable behavior, you are in jeopardy. These people therefore want to be honest, want to practice their religion, so they make an application, which is legal under Soviet law to emigrate from the Soviet Union. When they

make the application, forthwith shortly thereafter they lose their jobs. Their spouses lose their jobs. As they lose their jobs, if they can find another one, they earn approximately one-third what they were earning before and then the pattern of harassment continues and accelerates and grows; particularly then when they are cut off from their schools, the children are, when they are cut off from their normal jobs, when other citizens of the Soviet Union spurn them and do not talk to them, they seek emotional support and refuge in others who are in this predicament, and when they do that often their situation is aggravated.

If the Soviets want to arrest them, they arrest them not only for having contraband, but also for hooliganism, which means if you are walking down the street in front of a synagogue and a KGB agent pushes you to the side, really according to the recollection of the police, you pushed him. That is hooliganism. You can be arrested. You can face 5 years in the Gulag for something along those lines, or the classic catch-22 situation. You make an application to leave the Soviet Union under Soviet authority, under Soviet law. You are refused the right to leave. You are denied, based on no reason that is fabricated or made up. Therefore, you are a refusenik. When you become a refusenik and you make the application to leave, you lose your job. You cannot find another job, so you are arrested for parasitism. It is illegal in the Soviet Union not to work, but it is also in the situation that you lose your job if you want to live by the rights that the Soviet Government says that they will honor.

□ 1400

If you are arrested for parasitism, therefore you can go into exile, internal exile, you go to work camps, and you can even go to prison. So it is a catch-22 situation.

We, the gentleman from New Jersey [Mr. GALLO], and I listened over a 3½-day period to about 40 to 50 cases. There are some that stand out, but there is some consistent pattern to these types of abuses.

At this particular time, to discuss a couple of specific cases, I would like to yield to the gentleman from New Jersey who shared with me this adventurer into the gulag, which is almost Moscow, as far as I am concerned. It really is not much of a place to live, not that the people are not wonderful individuals, but the system is so oppressive that it is there at every moment. You feel like there is a wet blanket of authority on you at all times, even though you may not see a KGB agent, even though you may not see a machinegun. You happen to know that it is there.

Mr. Speaker, I yield to the gentleman who is sharing this special order with me, the gentleman from New Jersey [Mr. GALLO].

Mr. GALLO. Mr. Speaker, I want to thank the gentleman from New Jersey [Mr. COURTER] for setting up this special order. I think he has gone over and laid some very important groundwork.

In our visit, all the way through the time we spent there, granted it was not a long time but it was long enough to see the repression that is happening by the Government itself. It came out very clearly that the people there are intimidated. They are intimidated by their government. The cases, the individuals that we had the opportunity to talk with, not just names on a piece of paper but individuals standing in front of us relating their stories, relating that story of just wanting to leave the Soviet Union, and as the gentleman indicated, the hardship that these individuals took on immediately upon applying for a visa, they knew what was going to happen. They knew what was in store for them, but they felt so strongly about what the gentleman has discussed, being able to follow their own religion, give a future for their son or daughter, which is an overriding concern with many of the people that we met.

One in particular the gentleman mentioned, Mr. and Mrs. Michelson. Mr. Michelson came to my office and also came to the gentleman's office, and I believe to the offices of a number of other Congressmen, explaining his particular plight. This is an individual who left the Soviet Union over 30 years ago, expecting his wife to follow within a 6- to 8-month period. Thirty years have gone by and his wife has not followed. His wife is not allowed to leave the Soviet Union.

He had a daughter aged 7 at that time. That daughter is now 37. He has a grandson that he has never seen, age 7½. The gentleman will recall when we met with the Soviet officials and we gave them a list of some 26 names, broken into categories, divided spouses, in this particular case we had the Michelsons as divided spouses. He made a plea to me if I would bring to his wife something he had promised her over 30 years ago, and that was a wedding ring.

I indicated that I would certainly try and deliver that. As you know, both of us met Mrs. Michelson and the daughter and the son at the Embassy. At that point it became a very emotional time. As I presented the ring to her, there were tears in her eyes, and I think we all started to shed a tear or two because it was an emotional point.

When we talked with the Soviet official, who was a Deputy Foreign Minister, we submitted the names, and the gentleman from New Jersey [Mr.

COURTER] gave those names to that official and indicated how strongly we, not only in Congress but the American people, felt about the human rights issue. I then asked him how they could hold two people away from each other for 30 years and that it could not be a military concern, it could not be a concern about Mr. Michelson having secrets after 30 years.

The response was, "Well, Mr. Gorbachev is acting on these cases individually and dealing with humanitarian interests."

My response was that I could not think of anything more humanitarian than to reunite these individuals, these two families, really one family, but unite them in an effort to bring about some compassion.

His response was that that is an internal matter, and not one that the United States should be concerned about.

Both the gentleman from New Jersey [Mr. COURTER] and I let him know exactly how we felt and also how the American people feel, because on thing is clear. They do follow what is happening in Congress. They will be reading this special order. They also monitor what happens in the United States. We made it clear that it was not just the Congress that was speaking on this human rights issue, but it is the American people who are demanding that they follow through on the Helsinki accords, which allows, along with the Soviet Union's own law, allows the freedom of movement.

So we put what we felt was our best foot forward in hopes that we would be successful in having that list of names addressed by the Soviet Union and its leadership. I can tell my colleagues at that time I was not overly optimistic that there was going to be a change in policy, especially with the statements that were made, "We will deal with each case as an individual issue and not a human rights issue."

I can tell my colleagues that those 3½ days or 4 days were probably the most emotionally draining days I have ever had because we were meeting with people, as the gentleman indicated, some of the calls were made by him outside of the hotel for fear of being picked up by the Soviet agents, but through his telephone call to one individual, we met with that family, a professional family, the mother a university professor, the father who worked at a very important job, high-ranking job, knowing that immediately when they applied she lost her job and the husband was immediately put down to the lowest level where he started 26 years ago.

His answer and his wife's answer was that it was done for their daughter, so their daughter could have the advantages of knowing their religion and also at the same time have the educa-

tional benefits that they felt she deserved.

As JIM and I left, the mother came up to us and said, "Please get our daughter out," because she is fearful that the daughter is going to be more vocal in the future and we know where that will lead to. I think that was probably one of the most difficult times, leaving there knowing that many of those individuals are not going to have an easy time of it.

One other area. As the freshman co-chairman of Soviet Jewry in the House, I adopted a family early on in February of last year. It is the Kagan family. I have had the opportunity to send letters back and forth. We have had an ongoing relationship by way of the mail, and also had the opportunity to talk to them on two occasions by telephone.

Going to Moscow allowed us, and me, the opportunity to meet Abram Kagan for the first time face to face. There is one message that I would like to have this House hear. When I first talked with the Kagans, he had just lost his job. He is a mathematician. He is very well known for his thesis on new math. He lost that job.

□ 1410

His son was refused the ability to go to the university. His daughter was refused medical care. In talking with him on our recent visit, he indicated things had changed.

As the gentleman said before, knowing that someone is looking over their shoulder sometimes has a positive effect, and in the case of Abram Kagan, he indicated to me that he felt my involvement, my watching over him, so to speak, has been helpful because now he has received his old job back, his son is now in the university, and his daughter has had the necessary medical care.

I think all and all, you come out of there frustrated and you say to yourself, "What have we accomplished?" I think both of us have accomplished an awful lot, not only for ourselves to see the problem first hand, but to look at some of the frustration on the faces and yet look in the eyes and see that sparkle of hope.

I think, if nothing else, we gave those individuals some hope, some understanding that someone does care and will continue to care until this human rights issue is satisfied.

I yield back to my good friend from New Jersey [Mr. COURTER].

Mr. COURTER. I thank the gentleman for his comments.

I would just like to mention a couple of other things if I may.

I had a family whose name cannot be mentioned because they have not made the decision that they want to have their name be used in any type of a protest. They are refuseniks. They want to get out. They are reaching

that frustration level, but they have not made the decision, so the names cannot be used here.

The child wants badly to come to the United States to be educated. There is room at one of the universities in the State of New Jersey for the child. I was talking with the parents in an apartment outside of the center of Moscow and they had applied to leave as a family.

The husband and wife were saying that it may, just may enhance or improve my child's ability, chances of getting out of this system if my child goes alone and leaves us here. I think Soviet authorities rather like that because then there is leverage on both sides. One cannot really express what is truly on one's mind if your loved ones, your mother, your father, your spouse is back in the Soviet Union where obvious sanctions can take place.

But as I was talking to the parents and I was shaking hands and we were out of earshot from their child, they said, "We know that if our child can go to the United States, to the State of New Jersey for an education, and she is allowed to leave, we may never, and probably will never see her again. But we love her enough to say goodbye forever, knowing that she does not have to live in the type of a system, and endure the types of things that we have endured for the past 55 years inside the Soviet Union."

That is a remarkable testimonial to love, the fact that you love someone enough to let them go, probably never seeing them again.

A couple other observations; I asked the question on a number of occasions because it was interesting, I think, and important in our discussions. I asked the question and the gentleman from New Jersey [Mr. GALLO] asked the same question and probably received generally the same answer. Are things better now under Mikhail Gorbachev, which is a common retort to people who are quizzical. Mikhail Gorbachev is the youngest Soviet leader that I certainly can remember, perhaps the youngest in the history, outside of 75 years ago during the Bolshevik Revolution. His wife dresses in Western clothes, in Gucci shoes and is a very handsome person and so is he. There is a tendency to impute democratic values on this very democratic-looking couple.

I asked the question of the people inside the Soviet Union, and they said, most of them said things were a little bit worse, if at all. The others said that there is no change. There was not one family, not one person, not one spouse, not one child that said things were better under the democratic-looking Mr. Mikhail Gorbachev. I think that is an interesting observation and I wonder whether the gentleman from



New Jersey [Mr. GALLO] received similar answers or different answers.

Mr. GALLO. I think it was very clear that there has not been a change, certainly not a positive change, with the new leadership. As the gentleman indicated, many that we questioned actually felt that things were worse rather than better. The gentleman was relating to the story of his adopted family and the willingness of the mother and father to let their child go, knowing that they would not see them again.

At one of our meetings, if the gentleman will recall, there was a case that is being tried right now at this time, a case of a young person where it was indicated that drugs were found in his possession, although he has all kinds of individuals, highly motivated and with a great deal of integrity, indicating that this young gentleman was never involved in drugs.

As the gentleman has indicated, this is a way of the Soviet Union being able to trump up charges. At that meeting, if the gentleman recalls, we had about 12 individuals and 11 of those individuals said, "Please give priority to this case above ours."

To me, that is the height of devotion to your fellow man, to say someone else's case right now at this moment is more important than ours and please devote your time to that.

I know that when the gentleman talks about letting go a daughter and not seeing her again, I can understand the courage that these individuals have, knowing full well the ramifications that are going to take place, and yet they still have the courage of their convictions, the courage to want to do what is right for their family, and in doing so, knowing that they are making things really more difficult for themselves.

Mr. COURTER. I thank the gentleman from New Jersey for this contribution.

I asked the question, I guess out of curiosity, to some of these people: "Is anybody found innocent in these types of circumstances inside the Soviet Union," probably a naive question. They do have a system of trial substantially different from ours. They looked at me with a smile and said, "Not when the KGB plants the contraband."

I suppose under some circumstances if there is a weak case, they are found not guilty, but when the KGB is involved, indeed, there is normally just one outcome.

What I would like to do to sum up my part, and then I will yield the balance of my time to the gentleman from New Jersey [Mr. GALLO] if he would like to claim it, while I was in the Soviet Union, I kept notes, as the gentleman from New Jersey kept notes, and I would write down quotations, observations, emotions, perceptions, all sorts of things.

I would just like to share five or six observations or quotations at random. On the other hand, I think they are interesting.

□ 1420

I am at the synagogue in the very first full morning, Saturday morning, when we were in Moscow. There was a gentleman there that said that "Young people don't often come here"—to the synagogue—"because it's too dangerous." He also made the statement, "If you talk less it's safer."

I do not know whether these are surprising to anybody, but I thought they were anecdotal and therefore informative and interesting.

A number of people observed making the comment that a Soviet wanting to leave, a Soviet citizen wanting to leave the Soviet Union, is viewed as a traitor; is viewed as someone that is beneath all else, which is the reason, I suppose, for fellow citizens often ostracizing them, not talking to them, not looking at them as they walk down the streets.

One gentleman whom I asked why he was not allowed to leave, why he was a refusenik in the sense of, not why did he make the application but why did the authorities not permit him to go, said "State secrets. Of course! I can't leave because I deal in meat, sausage and poultry." I thought that was an interesting comment.

Another was the fact that individual after individual said that your going there, Congressman GALLO, my going, Congressman BOB WALKER going, Congressman BEN GILMAN going, does help. It means to them that they have an emotional support; it helps them to know that there are people in different parts of the world who have these rights, recognize their problem: it gives them a lot of psychological help, and also gives them to a degree some safety that they did not have before.

Finally, the young person who wanted to come and become educated in the State of New Jersey made some interesting comments. That person said, "This is a paranoid state. The only thing that is consistent is inconsistency when it comes to these particular refusenik problems."

The young person went on to say, "I don't want to be assimilated. I hate this country. I just simply want to leave." A further observation: "I cannot even think about living here," and this is the young person who wants to leave the Soviet Union badly, and her parents are willing to allow this child to go without them.

The individual said: "This system just simply doesn't work."

This is where I would like to end. I think it is important for Americans, people who take freedom so for granted, take choices so for granted, take high standards of living so for granted—nice hotels, so for granted. I will

always, every time I go in a nice hotel, I will think about the Metropol in the center of Moscow.

It is important, I think, in this long deliberation, in this struggle with the Soviet Union, a police totalitarian State and does not believe in human rights, that makes decisions based not on what is just, what is ethical, but what is solely in their military or State interests.

It is important to keep in mind that there must be always in the minds of Americans a distinction between the Russian individual and the system that they unfortunately are forced to live under. I think sometimes that is a distinction that we forget too quickly, that we are not, by this special order, by the special orders that have come before, talking about human rights violations in the Soviet Union, and surely the special orders, the commentary, the op-ed pieces, the books that will be written from now on about this particular issue, we do not criticize the individual Soviet person. The Russian people are just as good as the American people. They just happen to be living in a police totalitarian State that does not recognize the value of an individual soul, the value of an individual life.

That is the problem. A distinction must be made between the Soviet Union as an order of government, as a form of government, and the Soviet people themselves which I am quite sure are every bit as good and every bit as flawed as Americans or people in different parts of the world.

I yield to the gentleman from New Jersey [Mr. GALLO].

Mr. GALLO. Mr. Speaker, in talking about how the Soviet citizen is treated, in the time we were there there was no talk about the Chernobyl incident; there was no discussion about the hazards that were obvious to everyone; I mean, we were briefed as to what we should eat, what we should not eat—

Mr. COURTER. If the gentleman will permit me a question: Does the gentleman recall the answers on two or three occasions when we asked the question, how and when did you find out about Chernobyl?

Mr. GALLO. When we asked about that, there was a blank look on many of their faces, because they were not aware of it; and some heard 3 days after the accident.

Mr. COURTER. And those that heard in a timely fashion heard from VOA, Voice of America, and BBC. They did not hear from Soviet authorities.

Mr. GALLO. They would have had basically no knowledge of that; and I recall, we did have a reporter with us, and he would every night go back to the AP and write his story. Effective-

ly, that would be the only way we would get our news.

I recall him coming back one evening and saying that there was a medical alert that was out to the Soviet women, that pregnant women should not drink any milk. That next morning, one of our group tapped me on the shoulder and pointed over to a pregnant woman drinking milk. There was nothing in the paper; there was no acknowledgement in the radio; there was no notice to the Russian people.

This was a direct order by the Soviet Union leadership to keep their people in the dark. Not only their people, but people in neighboring countries in the case of the Chernobyl incident.

I think that gives one a feeling as to where their leadership is coming from; because those people as the gentleman from New Jersey [Mr. COURTER] has expressed have the same feelings we do; have the same wants; but they are not treated as individuals by the leadership.

Any government that can knowingly keep information from their people that is so critical to protecting their health, I think this tells you a little bit about that government.

I would like to close, Mr. Speaker, by saying that I mentioned before meeting my adopted family. I think one thing that could be done by this House, by the Congress, for those that have not adopted families I think it is imperative that, my colleagues, if you have not adopted an individual, please do, because it does mean and make a difference.

It is meaningful to that individual and his family or her family; it is also meaningful to their protection. As the gentleman indicated before, there is that little protection, that blanket of protection, that goes with someone knowing that a Congressman is looking over their shoulder.

It was a trip that I will never forget; it was a trip where I and I know you and those with us were emotionally spent. I could not be any happier—the mixed feelings when we left, knowing we were leaving individuals behind—the feeling of landing at Kennedy Airport, and knowing we were back home, and appreciating maybe just a little bit more the United States.

Mr. COURTER. I thank the gentleman for his contribution. I would like to say that if anybody travels to Moscow, they could not find a better person to do it with than Congressman GALLO.

Finally, the commendation to Robert Cohen from the Star-Ledger in New Jersey who went through what we went through who at the end of the day had to write up his stories and work late into the night; so his days were even longer than ours. Also for the quality, the objectivity is his reporting.

I believe, and I know the gentleman from New Jersey [Mr. GALLO] does as well, that his articles as they appeared in the Star-Ledger were excellent, extremely well-written; and I think they articulated in a very objective and fair but yet hard, punching and truthful manner what we went through in 3 days of the lifetime of two Congressmen from the State of New Jersey.

□ 1430

#### BLUEPRINT FOR INACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 30 minutes.

Mr. WALKER. Mr. Speaker, as we close the business of the House today, it is necessary, I think, to point out that today we considered no appropriation bills, nor are any appropriation bills scheduled for the rest of the week on the House Calendar.

I point that out in large part because today, June 10, is the day that the House was to have completed action on all of our appropriation bills pursuant to the Gramm-Rudman Act that we passed last year.

We were to have, by this time, finished the entire budget process and begun the process of spending the money through the appropriation bills so that we would arrive not only at a budget that outlines \$144 billion deficit for the upcoming year, but also would have a process going forward of appropriation bills that would meet that target, the idea being that by the end of this month the other body then would have completed action on the appropriation bills and before the Congress went home for its July 4 recess we would have in fact had a budget in place and the appropriations bills in place that would assure that as we move through the rest of the legislative year toward fall that we would know precisely where we stood with regard to meeting the budget targets and the spending targets for the upcoming fiscal year of 1987.

None of that is happening. The budget has not yet been passed. This Congress is totally ignoring the law that we ourselves put in place just a few months ago. An overwhelming majority of this House voted for the Gramm-Rudman Act. An overwhelming majority of this House said at that point that we were committing ourselves to a process aimed at producing a balanced budget by 1991. We have decided now to torpedo that entire process. We have decided now that we are not going to comply with that to which we have committed ourselves.

We are in fact taking all kinds of end runs around the law; we are ignoring the law.

This is not the first time that Congress has chosen to ignore a law that committed itself to a balanced budget.

Several years ago Congress passed a law which said that we are going to balance the budget by the year, fiscal year 1981. When it came to the enforcement of that law, we also chose to ignore it. Despite the fact that amendments were offered on the floor on several occasions aiming to enforce that particular balanced budget law, the Congress chose instead to spend the money, ignoring the law.

Last year under a great deal of public pressure about mounting deficits, Congress again committed itself to the idea that we were going to reduce deficits and balance the budget. Once again we are ignoring the law. This Congress has consciously and knowingly chosen to set itself above the law and to ignore it.

Now I hear all the time discussed on the House floor that these are mere technicalities, that the dates put in Gramm-Rudman are simply technicalities and we can ignore them.

Let me talk a little bit about that business of technicalities. First of all, let us remember that the President had to meet one of those technicalities. As of February 1, he was supposed to submit a budget to the Congress. And he did that. He met the time deadline for submitting a budget that met the targets that were specified under Gramm-Rudman.

One can only imagine the howls that would have come from the liberals had the President not met his technical target date. Had the President not come up here with a budget by February 1 and met that target, one can only imagine what the howls would have been from the very people who today take it upon themselves to ignore their target dates.

Be that as it may, we were then supposed to have met a date of April 15 for passing a budget in the House ourselves. We did not do it.

We were supposed to have gotten that bill passed and then put together with the bill of the other body, passed a conference report with the other body by May. We did not do it.

Now we are supposed to have, by today, passed all the appropriation bills relative to that budget. We have not done it. We are going to come nowhere near close. In fact, what I am hearing is we may never even take up a lot of those appropriation bills. At some point this House may take up one massive appropriation bill that would, hopefully, then comply with the budget process.

What that means is that choices will be very, very limited. We will have very little opportunity then taking a bill up in that fashion to modify it, to cutback on spending, to do the kind of priority decisionmaking that Congress should do.

We are, as Congress today, doing our level best to try to set-aside that which



we committed ourselves to a few months ago. When it comes to balancing the budget, Congress consistently takes a walk. When it comes to spending money, Congress consistently does everything that they can to see to it that spending goes forward.

That is precisely the process we are now undergoing. We are setting aside all of the technicalities, all of the provisions of law aimed at managing deficits through a process aimed at a balanced budget by 1991. We are instead moving toward processes that would assure that we can spend more money this year and money in the future. I submit that, as of today, June 10, another target date we were supposed to have met on our route toward reducing deficits, when we have done nothing, absolutely nothing to comply with the deadline, we are in fact showing this Nation, showing the voters across this Nation that we do not care about balanced budgets and we do not care about deficits.

I hope the American people will take a very, very close look at what is happening in this Congress because I think they will be shocked to find out that the very people who come home and tell them they are all for balancing the budget are the same people who too often in this Congress forget what is in the national interest when they are here and, instead, go ahead and ignore the process toward that balanced budget.

It is high time we become responsible here. The American people expect responsibility of us. We certainly are not showing it.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HENRY) to revise and extend their remarks and include extraneous material:)

Mr. DAUB, for 20 minutes, on June 12.

Mr. WALKER, for 30 minutes, today.

(The following Members (at the request of Mr. ECKART of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. STRATTON, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. STOKES, during general debate on H.R. 4345 in the House today.

Mr. GILMAN, during general debate on H.R. 4116 in the Committee of the Whole today.

(The following Members (at the request of Mr. HENRY) and to include extraneous matter:)

Mr. ROGERS.

Mr. WORTLEY.

Mr. COURTER.

Mr. GALLO.

Mr. PETRI.

Ms. SNOWE.

Mr. RUDD.

Mr. MILLER of Washington.

Mr. LEWIS of Florida.

(The following Members (at the request of Mr. ECKART of Ohio) and to include extraneous matter:)

Mr. MONTGOMERY.

Mr. CARR.

Mr. EVANS of Illinois in two instances.

Mr. BROOKS.

Mr. EDGAR in two instances.

Mr. LELAND.

Mr. STOKES.

Mr. MICA.

Mr. VENTO.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2294. An act to authorize certain programs under the Education of the Handicapped Act, to authorize an early intervention program for handicapped infants, and for other purposes; to the Committee on Education and Labor.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3570. An act to amend title 28, United States Code to reform and improve the Federal justices and judges survivors' annuities program, and for other purposes, and

H.J. Res. 382. Joint resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following title:

S. 124. An act to amend the Safe Drinking Water Act, and

S. 1027. An act for the relief of Kenneth David Franklin.

#### ADJOURNMENT

Mr. WALKER. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 36 minutes p.m.), the House adjourned until to-

morrow, Wednesday, June 11, 1986, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3676. A letter from the Federal-State Coordinator, Office of the Governor, State of Montana, Washington, DC, transmitting a copy of the interstate mutual aid compact between the States of Montana and Washington, pursuant to 50 U.S.C. app. 2281(g); to the Committee on Armed Services.

3677. A letter from the Secretary of Education, transmitting notification of his intention to submit a legislative proposal for the reauthorization of the Education Consolidation and Improvement Act [ECIA]; to the Committee on Education and Labor.

3678. A letter from the Secretary of Energy, transmitting the calendar year 1984 report on the Department's Industrial Energy Efficiency Improvement Program, pursuant to 42 U.S.C. 6345(e); to the Committee on Energy and Commerce.

3679. A letter from the Acting Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting notification of a proposed manufacturing license agreement for the manufacture of significant military equipment in a country not a member of the North Atlantic Treaty Organization (Transmittal No. MC-26-86), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3680. A letter from the Acting Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting notification of a proposed sale of major defense equipment sold commercially under a contract in the amount of \$14 million or more (Transmittal No. MC-22-86), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3681. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed lease of defense articles to the Dominican Republic (Transmittal No. 34-86), pursuant to 22 U.S.C. 2796(a); to the Committee on Foreign Affairs.

3682. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed letter of offer to Israel for defense articles and services estimated to cost \$38 million (Transmittal No. 86-35), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3683. A letter from the Secretary of Labor, transmitting the semiannual report of the inspector general covering the period from October 1, 1985, through March 31, 1986, pursuant to 5 U.S.C. app. (Inspector General Act of 1978) 5(b); to the Committee on Government Operations.

3684. A letter from the Commissioner, Immigration and Naturalization Service, transmitting a copy of the order granting defector status in the case of John W. Graham, pursuant to 8 U.S.C. 1182(a)(28)(1); to the Committee on the Judiciary.

3685. A communication from the President of the United States, transmitting a report on the activities of countries within the United Nations and its specialized agencies and information on the performance of U.N. member countries in international or-

ganizations, pursuant to 22 U.S.C. 2414a(a) and 22 U.S.C. 287b nt.; jointly, to the Committees on Appropriations and Foreign Affairs.

3686. A communication from the President of the United States, transmitting a report on the efforts by the United States and others, including developments in the Contadora process, to promote a negotiated settlement in Nicaragua; alleged human rights violations by the democratic resistance and the Government of Nicaragua; and disbursement of humanitarian assistance to the democratic resistance, pursuant to Public Law 99-83, section 722(j) (99 Stat. 255) and Public Law 99-88, chapter V, section 104 (99 Stat. 326); jointly, to the Committees on Appropriations, Foreign Affairs, and the Permanent Select Committee on Intelligence.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

MR. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4212. A bill to provide for the reauthorization of the Deep Seabed Hard Mineral Resources Act, and for other purposes (Rept. No. 99-609, Pt. 2). Ordered to be printed.

MR. FUQUA: Committee on Science and Technology. Report on new technology and the future of steel (Rept. No. 99-625). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOWARD (for himself, Mr. SNYDER, Mr. MINETA, and Mr. HAMMERSCHMIDT) (by request):

H.R. 4961. A bill to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1987, 1988, 1989, and for other purposes; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

By Mr. HUGHES (by request):

H.R. 4962. A bill to renew authority to contract for the detection and treatment of drug-dependent offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. MONTGOMERY (by request):

H.R. 4963. A bill to provide military commissary and exchange privileges to the surviving spouses of veterans dying from a service-connected disability; to the Committee on Armed Services.

H.R. 4964. A bill to amend title 10, United States Code, to extend eligibility for military medical care to recipients of the Congressional Medal of Honor and their dependents; to the Committee on Armed Services.

H.R. 4965. A bill to amend title 38, United States Code, to standardize the length of marriage criteria for receipt of dependency and indemnity compensation for survivors of certain veterans; to the Committee on Veterans' Affairs.

H.R. 4966. A bill to amend title 38, United States Code, to extend from 1 year to 2 years the period during which veterans with service-connected disabilities may apply for national service life insurance; to the Committee on Veterans' Affairs.

H.R. 4967. A bill to amend title 38 of the United States Code to permit certain eligible veterans to purchase up to \$20,000 of national service life insurance; to the Committee on Veterans' Affairs.

H.R. 4968. A bill to amend title 38, United States Code, to extend eligibility for the Veterans' Administration clothing allowance to certain veterans with skin disorders resulting from service-connected diseases or injuries; to the Committee on Veterans' Affairs.

H.R. 4969. A bill to amend title 38, United States Code, to extend educational assistance benefits to dependents of veterans with a service-connected disability of 80 percent or more; to the Committee on Veterans' Affairs.

By Mr. PRICE:

H.R. 4970. A bill to provide an additional year for the Jefferson National Expansion Memorial Commission to complete the preparation of a development and management plan; to the Committee on Interior and Insular Affairs.

By Mr. RICHARDSON:

H.R. 4971. A bill to direct the Secretary of the Interior to convey certain interests in lands in Socorro County, NM, to the New Mexico Institute of Mining and Technology; to the Committee on Interior and Insular Affairs.

By Mr. SYNAR (for himself, Mr. LOWRY of Washington, Mr. SWIFT, Mr. NIELSON of Utah, Mr. HANSEN, Mr. STRATTON, Mr. STUDDS, and Mr. ATKINS):

H.R. 4972. A bill to ban the promotion of tobacco products; to the Committee on Energy and Commerce.

By Mrs. BYRON:

H.J. Res. 650. Joint resolution to recognize the National Fallen Firefighters' Memorial on the campus of the National Fire Academy in Emmitsburg, MD, as the official national memorial to professional and volunteer firefighters who die in the line of duty; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself, Mr. GARCIA, Mr. BLILEY, Mr. MANTON, Mr. HORTON, Mr. JONES of North Carolina, Mr. MOORE, Mr. DANIEL, Mr. SUNIA, Mr. HENRY, Mr. PASHAYAN, Mr. CHANDLER, Mr. VANDER JAGT, Mr. CROCKETT, Mr. TOWNS, Mr. JACOBS, Mrs. HOLT, Mr. WATKINS, Mrs. BURTON of California, Mr. WEBER, Mr. FUSTER, Mr. LEHMAN of Florida, Mr. HUNTER, Mr. MRAZEK, Mr. WORTLEY, Mr. STALLINGS, Mr. O'BRIEN, Mr. DAUB, Mr. BEDELL, Mr. GALLO, Mr. EVANS of Illinois, Mr. DE LA GARZA, Mr. HATCHER, Mr. WOLF, Mr. HOWARD, Mr. BRYANT, Mr. DWYER of New Jersey, Mr. PERKINS, Mr. FAZIO, Mr. SCHEUER, Mr. SMITH of New Hampshire, Mr. NEAL, Mr. WOLFE, Mrs. LLOYD, Mr. DANNEMEYER, Mr. BROOKS, Mr. LIGHTFOOT, Mr. EMERSON, Mr. VOLKMER, Mr. BARNES, Mr. DORNAN of California, Mr. FISH, Mr. GILMAN, Mr. GRAY of Illinois, Mr. GUARINI, Mr. RALPH M. HALL, Mr. HALL of Ohio, Mr. HUGHES, Mr. KASICH, Mr. LAGOMARSINO, Mr. MONSON, Mr. NIELSON of Utah, Mr. ROE, Mr. SAXTON, Mr. SCHUMER, Mr. SHUMWAY, Mr. SWINDALL, Mr.

TAUKE, Mr. TORRICELLI, Mr. BUSTAMANTE, and Mr. BURTON of Indiana): H.J. Res. 651. Joint resolution to designate the week beginning November 23, 1986 as "National Adoption Week"; to the Committee on Post Office and Civil Service.

By Mr. CHAPPELL:

H. Res. 468. Resolution expressing the sense of the House regarding Medicare payment processing; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. COELHO (for himself, Mr. STARK, Mr. WAXMAN, Mr. LANTOS, Mrs. BOXER, Mrs. BURTON of California, Mr. MILLER of California, Mr. FAZIO, Mr. DELLUMS, and Mr. MINETA):

H. Res. 469. Resolution paying special tribute to Portuguese diplomat Dr. de Sousa Mendes for his extraordinary acts of mercy and justice during World War II; to the Committee on Post Office and Civil Service.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 555: Mr. CHENEY and Mrs. BENTLEY.  
H.R. 585: Mr. FOGLIETTA, Mr. PERKINS, Mr. SEIBERLING, and Mr. DE LA GARZA.  
H.R. 704: Mr. CRANE.  
H.R. 1436: Mr. DYSON, Mr. SLATTERY, Mr. SAXTON, Mr. HAYES, and Mr. GILMAN.  
H.R. 2221: Mr. CLAY and Mr. DELLUMS.  
H.R. 2337: Mr. NIELSON of Utah.  
H.R. 2897: Mr. SENSENBRENNER, Mr. WALKER, Mr. DEWINE, Mrs. SMITH of Nebraska, and Mrs. VUCANOVICH.  
H.R. 2902: Mr. ANDERSON and Mr. ROWLAND of Connecticut.  
H.R. 3357: Mr. LEWIS of Florida.  
H.R. 3968: Mr. CARPER and Mr. WEISS.  
H.R. 4060: Ms. SNOWE, Mrs. ROUKEMA, Mr. RALPH M. HALL, Mr. GLICKMAN, Mrs. SMITH of Nebraska, Mr. LIPINSKI, Mr. RITTER, Mr. LUKE, Mr. FOWLER, Mr. KRAMER, Mr. DANIEL, Mr. LIGHTFOOT, Mr. BRYANT, Mr. GINGRICH, and Mr. HAMMERSCHMIDT.  
H.R. 4119: Mr. MARTINEZ.  
H.R. 4260: Mr. SKELTON and Mr. ROBINSON.  
H.R. 4273: Mr. OBERSTAR, Mr. CARNEY, Mr. STRATTON, Mr. PURSELL, Mr. ECKERT of New York, Mr. MARTINEZ, Mr. CLINGER, Mr. VISCLOSKEY, and Mr. RINALDO.  
H.R. 4301: Mr. MAVROULES, Mr. MILLER of California, Mr. WILLIAMS, Mr. MARTINEZ, and Mrs. BURTON of California.  
H.R. 4391: Mr. FUSTER.  
H.R. 4450: Mrs. BOXER, Mr. BLILEY, Mr. TORRICELLI, Mr. SAXTON, Mr. MINETA, and Mr. MRAZEK.  
H.R. 4630: Mr. WHITTAKER, Mr. HARTNETT, Mr. HEFNER, Mr. ROYBAL, Mr. HENDON, Mr. TALLON, and Mr. BOUCHER.  
H.R. 4647: Mr. ROBINSON.  
H.R. 4669: Mr. SWEENEY.  
H.R. 4682: Mr. BARTON of Texas, Mr. SCHEUER, Mr. VENTO, Mr. GUNDERSON, Mr. JEFFORDS, and Mr. WAXMAN.  
H.R. 4713: Mr. BREAUX, Mr. JEFFORDS, Mrs. BURTON of California, Mr. CARPER, and Mr. BARNARD.  
H.R. 4734: Mr. SEIBERLING and Mr. KASTENMEIER.  
H.R. 4748: Mr. BLILEY and Mr. CRANE.  
H.R. 4763: Mr. DIOGUARDI, Mr. ZSCHAU, and Mr. HAMMERSCHMIDT.  
H.R. 4766: Mr. DORNAN of California and Mr. PETRI.  
H.R. 4936: Mr. WORTLEY.



H.R. 4953: Mr. KEMP, Mr. McMillan, Mr. Wortley, Mr. Burton of Indiana, Mr. Kolbe, Mr. Lott, and Mrs. Roukema.

H.J. Res. 91: Mr. Craig.

H.J. Res. 231: Mr. Applegate, Mr. Gray of Illinois, Mr. Savage, Mr. Lagomarsino, Mr. Lantos, Mr. Bevill, Mr. Mrazek, Mr. Fauntroy, Mr. Smith of Florida, Mr. Towns, Mr. Luken, and Mr. LaFalce.

H.J. Res. 512: Mrs. Boxer, Mr. Hughes, Mr. Shaw, Mr. Rahall, Mr. Traxler, Mr. Walgren, Mr. Martinez, and Mr. De Lugo.

H.J. Res. 552: Mrs. Long, Mr. Borski, Mr. Roybal, Mr. Lipinski, Mr. Slattery, Mr. Donnelly, Mr. Bustamante, Mr. Zschau, and Mr. Carper.

H.J. Res. 572: Mrs. Byron.

H.J. Res. 607: Mr. Boucher, Mr. Dornan of California, Mr. Frost, Mr. Garcia, Mr. Henry, Mr. Leath of Texas, Mr. Leland, Mr. Lewis of Florida, Mrs. Lloyd, Mr. Lujan, Mr. MacKay, Mr. Roe, Mr. Slattery, Mr. Walgren, Mr. Wirth, Mr. Young of Missouri.

H.J. Res. 618: Mr. Monson, Mr. Weiss, Mrs. Boxer, Mr. Bevill, Mr. Bonior, of Michigan, Mr. Roe, Mr. Hatcher, Mr. Martinez, Mr. Berman, Mr. Fauntroy, Mr. Rose, Mr. Vento, and Mr. Scheuer.

H.J. Res. 619: Mr. Gilman, Mr. Kasich, Mr. Lantos, Mr. Dornan of California, Mr. Coats, Mr. Bateman, Mr. Conyers, Mr. Bevill, Mr. Fascell, Mr. Hughes, Mr. Packard, Mr. Rahall, Mr. Rangel, Mr. Shaw, Mr. Valentine, Mr. Reid, Mr. Hatcher, Mr. Akaka, Mr. Strang, Mr. Scheuer, and Mr. Dowdy of Mississippi.

H.J. Res. 625: Mr. Fields, Mr. Packard, Mr. McCain, Mr. Kostmayer, Mr. Dwyer of New Jersey, Mr. Fuqua, Mr. Martin of New York, Mr. Bryant, Mr. Lantos, Mr. Dornan of California, Mr. Lipinski, Mr. Lightfoot, Mr. Rahall, Mr. Applegate, Mrs. Bentley, Mr. Fauntroy, and Mrs. Byron.

H.J. Res. 628: Mr. Manton, Mr. MacKay, Mr. Kostmayer, Mr. Fuster, Mr. Leland, Mr. McCain, Mr. Murtha, Mr. Shaw, Mr. Gonzalez, Mr. Howard, Mr. Fauntroy, Mr. Dwyer of New Jersey, Mr. Feighan, Mr. Gejdenson, Mr. Rose, Mr. Traficant, Mr. Wilson, Mr. Horton, Mr. Ackerman, Mr. Clinger, Mr. Dixon, Mr. McGrath, Mrs. Boxer, Mr. Owens, Mrs. Collins, Mr. Hayes, Mr. Reid, Mr. Bebell, Mr. Boner of Tennessee, Mr. Dymally, Mr. Mrazek, Mr. Daub, Mr. Dellums, Mr. Thomas of Georgia, Mr. Monson, Mr. Lantos, Mr. Lipinski, Mr. Wirth, Mr. Oberstar, Mr. Berman, Mr. Levin of Michigan, Mr. Smith of New Hampshire, Mr. Dornan of California, Ms. Kaptur, Mr. Martinez, Mr. Shumway, Mr. Biaggi, Mr. Frost, Mr. Dingell, Mr. Tauke, and Mr. Kildee.

H.J. Res. 642: Mr. Ray, and Mr. De La Garza.

H. Con. Res. 325: Mr. Vento.

H. Res. 404: Mr. Cheney, Mr. Clay, Mr. Daniel, Mr. Delay, Mr. Derrick, Mr. Frank, Mr. Fuster, Mr. Gingrich, Mr. Hammerschmidt, Mr. Hefner, Mr. Hubbard, Mr. Lagomarsino, Mr. Luken, Mr. Lundine, Mr. Manton, Mr. McCain, Mr. Monson, Mr. Murphy, Mr. Perkins, Mr. Rahall, Mr. Robinson, Mr. Rodino, Mr. Rowland of Georgia, Mr. Savage, Mr. Shaw, Mr. Solomon, Mr. Tallon, Mr. Feighan, Mr. Cobey, Mr. Horton, Mr. Kindness, Mr. Wortley, Ms. Mikulski, Mr. Volker, Mr. Boner of Tennessee, Mrs. Bentley, Mr. Reid, Mr. Bateman, Mr. Clinger, and Mr. Nielson of Utah.

H. Res. 454: Ms. Kaptur, Mr. Kolbe, and Mr. Towns.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

### H.R. 1

By Mr. BARTLETT:

(To the amendment in the nature of a substitute to H.R. 1 (text of H.R. 4746)).

—At the end of the amendment, add the following new title (and conform the table of contents accordingly):

### TITLE VI—ASSISTED HOUSING LIVABILITY IMPROVEMENTS

#### SEC. 601. RENT PHASE-IN.

Section 3 of the United States Housing Act of 1937 is amended by adding at the end the following new subsection:

"(d)(1) In any case in which the obtaining of employment by a resident of a dwelling unit assisted under this Act will result in an increase in the rent payable by the family of such resident under subsection (a), the public housing agency involved (or the Secretary, if no public housing agency is involved) may provide for a gradual increase in such rent to the full amount during a period of not more than 6 months.

"(2) For purposes of this subsection, the term 'employment' shall have such meaning as is determined to be appropriate by the public housing agency involved (or the Secretary, if no public housing agency is involved)."

#### SEC. 602. PORTABILITY OF SECTION 8 CERTIFICATES AND VOUCHERS.

Section 8 of the United States Housing Act of 1937 is amended by adding at the end the following new subsection:

"(g)(1) Any family assisted under subsection (b) or (c) may continue to receive such assistance when such family moves to another eligible dwelling unit—

"(A) if such dwelling unit is within the same metropolitan statistical area as the dwelling unit from which the family moves; and

"(B) notwithstanding that such dwelling unit is not within the area of jurisdiction of the public housing agency having jurisdiction in the area of the dwelling unit from which the family moves.

"(2) The public housing agency having authority with respect to the dwelling unit to which a family moves under this subsection shall have the responsibility of carrying out the provisions of this subsection with respect to such family. If no public housing agency has authority with respect to the dwelling unit to which a family moves under this subsection, the public housing agency having authority with respect to the dwelling unit from which the family moves shall have such responsibility.

"(3) In providing assistance under subsection (b) or (c) for any fiscal year, the Secretary shall give consideration to any reduction in the number of resident families incurred by a public housing agency in the preceding fiscal year as a result of the provisions of this subsection.

"(4) The provisions of this subsection may not be construed to restrict any authority of the Secretary under any other provision of law to provide for the portability of assistance under this section."

#### SEC. 603. INCENTIVES FOR PUBLIC HOUSING AGENCY PERFORMANCE EFFICIENCY.

Section 9(a)(3) of the United States Housing Act of 1937 (as added by section 206 of this Act) is amended by adding at the end the following new subparagraph:

"(C) Under the performance funding system established under this paragraph

(and notwithstanding any provision of subparagraph (B) to the contrary)—

"(i) funds received by any public housing agency from sources other than tenant rents or other tenant payments, investment income, or income earned from commercial leases or receipts, including any amounts recovered through litigation, shall not be counted as income in computing the allowable subsidy nor shall prior receipt of any such funds affect the allowable expense level; and

"(ii) any revenues resulting from rental income or other income (including investment income) in excess of estimated revenues from such items may not be recaptured, used, or computed to reduce assistance provided under this section, unless such estimate—

"(I) was unreasonable according to regulations in effect when the estimate was made; or

"(II) was fraudulent and deceptive."

#### SEC. 604. PROVISION OF ADEQUATE REPLACEMENT UNITS IN CASES OF DEMOLITION AND DISPOSITION.

Section 18(b) of the United States Housing Act of 1937 (as amended by section 210 of this Act) is further amended—

(A) by striking "and" at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(4) as an alternative to the requirements of paragraph (3), the public housing agency has developed a plan for the provision of an additional decent, safe, sanitary, and affordable dwelling unit for each public housing dwelling unit to be demolished or disposed under such application, which plan—

"(A) provides for the provision of such additional dwelling units through the acquisition of additional public housing dwelling units, the development of additional public housing dwelling units, the use of certificates or vouchers under section 8, or any combination of such methods;

"(B) is approved by the unit of general local government in which the project is located;

"(C) includes a reasonable plan for funding, except that such funding shall not be required to be provided in advance;

"(D) includes a method of ensuring that the same number of individuals will be provided housing; and

"(E) provides for the payment of the relocation expenses of each tenant to be displaced and ensures that the rent paid by the tenant following relocation will not exceed the amount permitted under this Act."

#### SEC. 605. PROHIBITION OF DENIAL OF SECTION 8 CERTIFICATES AND VOUCHERS TO RESIDENTS OF PUBLIC HOUSING.

Section 8 of the United States Housing Act of 1937 (as amended by section 602 of this Act) is further amended by adding at the end the following new subsection.

"(r) In selecting families for the provision of assistance under this section (including subsection (o)), a public housing agency may not consider whether a family resides in a public housing project, except in the case of a family being displaced as a result of major repairs, demolition, or disposition."

#### SEC. 606. DEREGULATION OF PUBLIC HOUSING AGENCIES.

Section 2 of the United States Housing Act of 1937 is amended—

(1) by inserting "(a)" after the section designation; and

(2) by adding at the end the following new subsection:

"(b)(1) To encourage efficient and effective administration of public housing by public housing agencies, to increase the amount of responsibility of these agencies for administering their public housing, and to minimize Federal involvement in the administration of public housing, the Secretary shall, whenever feasible, permit public housing agencies to carry out activities in-

volved in the administration of public housing projects without prior review or approval by the Secretary.

"(2) The provisions of paragraph (1) shall not apply if—

"(A) the Secretary determines that there is a reasonable basis to conclude that prior review and approval of 1 or more specific activities is necessary to ensure efficient and effective conduct of the activity throughout the program;

"(B) the Secretary determines that there is a reasonable basis to conclude that prior

review and approval is necessary with respect to a particular public housing agency due to such factors as its inexperience or poor performance in carrying out the same or related activities; or

"(C) prior review or approval by the Secretary is required by law."

#### SEC. 607. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 1986, or the date of the enactment of this Act, whichever occurs later.